

COUNCIL OF THE TOWNSHIP OF MARLBORO

ORGANIZATIONAL MEETING

JANUARY 2, 1978

The meeting was convened by Mayor Arthur Goldzweig at 12:01 P.M. After the salute to the flag, Father O'Connor gave the invocation.

Mayor Goldzweig then read the announcement of meeting:

Pursuant to the requirements of the Open Public Meetings Act, notice of the Organizational Meeting of the Council of the Township of Marlboro was:

1. Sent to the Asbury Park Press and The Daily Register on December 30, 1978;
2. Posted on the Bulletin Board of the Municipal Offices; and
3. Filed in the Office of the Clerk.

The following councilmen answered "present" at roll call: John F. Croddick, Howard Klau, Hyman C. Grossman, C. Douglas McClung and Richard Vuola.

Also present were: Mayor Arthur Goldzweig, Township Attorney Herbert B. Bierman, Deputy Mayor, James Newman and Business Administrator, Mary T. Denton.

The first item on the Agenda was the appointment of a Clerk Pro Tem. Mary T. Denton was appointed to serve until the appointment of the Acting Township Clerk.

Mayor Goldzweig administered the Oath of Allegiance and Position separately to Councilmen John F. Croddick, Howard Klau and Hyman C. Grossman.

Councilman Klau offered the following resolution:

Resolution #1-78 - Election of Council President

BE IT RESOLVED by the Township Council of the Township of Marlboro that John F. Croddick be elected as President of the Council.

Councilman Grossman seconded the resolution. During discussion before the vote was taken, Councilman McClung made a motion that Richard Vuola be President of the Council. Councilman Vuola seconded the motion which was defeated on roll call vote: Councilmen McClung and Vuola voting Aye; and Councilmen Croddick, Klau and Grossman voting Nay.

The Chairman then called for a vote on the original resolution. It was carried with Councilman Croddick, Klau and Grossman voting Aye and Councilmen McClung and Vuola voting Nay.

Mayor Goldzweig then turned the chair over to the new Council President.

Councilman Grossman offered the following resolution:

Resolution #2-78 (Rules of Order of Meetings)

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

Rule 1. The Regular Meetings of the Council shall be held on the 2nd and 4th Thursdays of each month at the Marlboro Township Municipal Offices at 8:00 P.M.

Rule 2. The order of business at meetings of the Council shall be as follows:

1. Salute to Flag
2. Roll Call
3. Citizen's Voice (Not to exceed one half hour)
4. Correction and approval of minutes
5. Administrative Report
6. Public Hearings
7. Unfinished Business
8. New Business
9. Reading of Petitions
10. Public Session
11. Adjournment

The resolution was seconded by Councilman Vuola and carried by unanimous vote.

Councilman Klau offered Resolution #3-78 (Appointment of Acting Township Clerk):

BE IT RESOLVED by the Township Council of the Township of Marlboro that Marjorie E. Currey be and she is hereby appointed Acting Township Clerk for a term of one year commencing January 1, 1978, at a salary of \$11,000 per year.

It was seconded by Councilman Grossman. When discussion was called for, Councilman Vuola asked that the resolution be amended to name Joan Czech as Township Clerk. The amendment was seconded by Councilman McClung and defeated on roll call vote: Councilmen Vuola and McClung voting Aye; Councilmen Croddick, Klau and Grossman voting Nay.

The Council President called for the vote on the original resolution which was then carried with Councilmen Croddick, Klau and Grossman voting Aye and Councilmen McClung and Vuola voting Nay.

Council President Croddick offered Resolution #4-78 (Election of Council Vice-President):

BE IT RESOLVED by the Township Council of the Township of Marlboro that Hyman C. Grossman be elected Vice-President of the Council.

It was seconded by Councilman Klau. When discussion was called for, Councilman Vuola proposed to amend the resolution naming as Council Vice-President Councilman C. Douglas Mc Clung. The proposed amendment was seconded by Councilman Mc Clung and defeated in the roll call vote, Councilmen Vuola and Mc Clung voting Aye, and Councilmen Croddick, Klau and Grossman, Nay.

The vote on the original resolution was called and the resolution was adopted, Councilmen Croddick, Klau and Grossman voting Aye, and Councilmen Vuola and Mc Clung, Nay.

Councilman Vuola offered Resolution #5-78 (Appointing a Director of Finance):

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the Mayor's nomination of Marc Chalfin for the position of Director of Finance is hereby confirmed for the term of office of the Mayor, as provided by law, and until the appointment and qualification of his successor.

The resolution was seconded by Councilman Mc Clung and adopted by unanimous vote.

Councilman Klau offered Resolution #6-78 (Appointing Township Auditor):

BE IT RESOLVED by the Township Council of the Township of Marlboro that Haskins & Sells, 550 Broad Street, Newark, New Jersey, are hereby appointed Township Auditor for a term of one year commencing January 1, 1978, and until their successor is appointed and qualified and they shall receive such compensation as may be agreed upon and determined by Council.

Councilman Grossman seconded the resolution. When discussion was called for, Councilman McClung proposed an amendment to the resolution substituting the name of Ben Litwin as Township Auditor. This amendment was seconded by Councilman Vuola and defeated by the following roll call vote: Councilmen Vuola and Mc Clung, Aye; Councilmen Croddick, Klau and Grossman, Nay.

The vote on the original motion for Auditor was as follows: Councilmen Grossman, Klau and Croddick, Aye. Councilmen Vuola and Mc Clung, Nay.

Councilman Klau offered Resolution #7-78 (Class III Member of the Planning Board):

BE IT RESOLVED by the Township Council of the Township of Marlboro that Howard Klau is hereby designated as the Class III member of the Planning Board of the Township of Marlboro for the term of one year said term expiring December 31, 1978.

Council President Croddick seconded the resolution and called for discussion. Councilman Vuola then offered an amendment to substitute the name of C. Douglas McClung. Councilman McClung seconded this amendment which was defeated on roll call vote: Councilmen Vuola and McClung voting Aye; Councilmen Croddick, Klau and Grossman voting Nay.

Council President Croddick then called for a vote on the original resolution. It was adopted, with Councilmen Croddick, Klau and Grossman voting Aye and Councilmen Vuola and McClung voting Nay.

Councilman Klau offered Resolution #8-78 (Member of Zoning Board of Adjustment):

BE IT RESOLVED by the Township Council of the Township of Marlboro that Herbert Gold be and he is hereby appointed a member of the Zoning Board of Adjustment for a period of four years commencing January 1, 1978.

Councilman Grossman seconded the resolution, after which the Council President called for discussion. Councilman McClung then proposed to amend the resolution by substituting the name of Joseph Lanzaro, Sr. Councilman Vuola seconded the proposal and it was defeated on roll call vote, Councilmen McClung and Vuola voting Aye, and Councilmen Croddick, Klau and Grossman voting Nay.

The Council President then called for a vote on the original resolution which was carried with Councilmen Croddick, Klau and Grossman voting Aye, and Councilmen McClung and Vuola, Nay.

Council President Croddick offered Resolution #9-78 (Appointment of Acting Deputy Township Clerk):

BE IT RESOLVED by the Township Council of the Township of Marlboro that Margaret McQuaid be and she is hereby appointed as Acting Deputy Township Clerk for a term of one year commencing on the effective date of an ordinance providing for a salary for such position; and the salary to be paid shall be at the rate of \$7,500 per year.

The Resolution was seconded by Councilman Grossman and the Council President called for discussion. Councilman Vuola requested that the effective date of the appointment be postponed until passage of a salary ordinance providing for the salary of the Deputy Clerk. The Councilman made it clear that he did not approve of creating this position and spending the extra money. He said a member of the Administrative staff earning \$6,000 could assist the Clerk in any way required, as has been done in the past.

RESOLUTION #10-78 (Designation of Official Banks)

BE IT RESOLVED by the Council of the Township of Marlboro that the following named banks be designated as the official depositories of funds of the Township of Marlboro.

CENTRAL JERSEY BANK AND TRUST COMPANY

COLONIAL FIRST NATIONAL BANK

NEW JERSEY NATIONAL BANK

CITY FEDERAL SAVINGS

FRANKLIN STATE BANK

FIDELITY UNION TRUST CO.

UNITED JERSEY BANK

FIRST MERCHANTS NATIONAL BANK

MID-ATLANTIC BANK

AMBOY-MADISON NATIONAL BANK

HOWELL BANK

SHADOW LAWN SAVINGS & LOAN

BRUNSWICK BANK & TRUST

The above resolution was seconded by Councilman Vuola and carried by unanimous vote.

Councilman Croddick requested that a Resolution naming a Legislative Committee be added to the agenda.

Councilman Mc Clung objected, stating that the policy was not to add to an agenda unless it was agreeable to all members of the council.

Councilman Klau seconded the motion to add the following Resolution:

RESOLUTION #10A-78 (Legislative Committee)

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Advisory Committee on New Legislation be appointed consisting of the following members:

Arthur Fried
Joseph Soporowski, Jr.
Sidney Leveson
Arnold Wadler
Constance Margolin
Mel Warren
Carole Abaya
Howard Udell

The resolution was adopted by the following vote: Councilmen Croddick, Klau and Grossman Aye. Councilmen Vuola and Mc Clung Nay.

Councilman Vuola offered the following resolution:

RESOLUTION #11-78 (Designation of Official Newspapers)

BE IT RESOLVED by the Council of the Township of Marlboro that the following newspapers are hereby designated as the official newspapers of the Township of Marlboro for the year 1978.

Asbury Park Press
Bayshore Independent
Colonial News
The Daily Register
Freehold Transcript
The News Tribune
The Courier

The above resolution was seconded by Councilman Klau, and adopted by unanimous vote.

Councilman Klau introduced the following resolution:

RESOLUTION #12-78 (Surety Bonds)

BE IT RESOLVED by the Council of the Township of Marlboro that they do hereby authorize and direct that the bonds presently in effect for the officers and employees of the Township be continued for the Year 1978.

BE IT FURTHER RESOLVED by the Council that the Township Auditor and Director of Finance shall review these bonds and make recommendations as to any changes to the Council within thirty days.

The resolution was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Grossman offered the following resolution:

RESOLUTION #13-78 (Interest Rate on Delinquent Taxes)

WHEREAS, under and by virtue of the provisions of R.S. 54:4-67 the Governing Body of each municipality is authorized to fix the rate of interest to be charged for the nonpayment of taxes or assessments on or before the date when they would become delinquent;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the 1978 rate of interest to be charged for the nonpayment of taxes or assessments on or before the date when they would become due shall be 8 percent per annum on any amount in excess of the delinquency and 12 percent per annum on any amount in excess of \$1,000.00 except that no interest shall be charged if payment of any installment is made within 10 days after the date upon which the same became payable.

The resolution was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Mc Clung introduced the following resolution:

RESOLUTION #14-78 (Certificates concerning subdivisions)

WHEREAS, under and by virtue of R.S. 40:55-1.24 it is required that the Governing Body of the municipality by resolution designate the municipal Clerk, municipal Engineer or some other official as the official who shall make and issue certificates as to approvals of subdivisions of land as provided in said statute;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Township Clerk be and she is hereby designated as the person to make and issue such certificates as to approvals of subdivision as may be required under and by virtue of said statute.

The resolution was seconded by Councilman Vuola, and adopted by unanimous vote.

Councilman Vuola introduced the following resolution:

RESOLUTION #15-78 (Designating Clerk to do Assessment Searches)

WHEREAS, under and by virtue of R.S. 54:5-18.1 et seq. inclusive, it is required that the Governing Body of the Municipality by Resolution designate either the Municipal Clerk or Municipal Engineer as the person to make official Certificates of Searches as to municipal improvements as provided in said statutes;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Township Clerk be and she is hereby designated as the person to make such Certificates of Searches as to municipal improvements as may be required under law and by virtue of said statute.

The resolution was seconded by Councilman Klau, and adopted by unanimous vote.

Councilman Klau offered the following resolution:

RESOLUTION #16-78 (Charges for Line Item Searches)

BE IT RESOLVED by the Township Council of the Township of Marlboro that costs charged by the collector for line item tax searches and duplicate bills be as follows:

Line Item Searches	-	.25¢ per line
Duplicate Bills	-	.50¢ per bill

The resolution was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Grossman introduced the following resolution:

RESOLUTION #17-78 (Adoption of 1978 Temporary Budget)

WHEREAS, in the normal operation of the business of the Township of Marlboro, it will be necessary for making contracts, commitments, and payments prior to the adoption of the regular budget for the Township of Marlboro; and

WHEREAS, Revised Statutes 40A:4-19 of the State of New Jersey provides that the Governing Body of any Municipality may make temporary appropriations to provide for any contracts, commitments or payments to be made between the beginning of the Budget Year and the adoption of the Final Budget.

WHEREAS, the date of this Resolution is within the thirty days of the month of January, 1978; and

WHEREAS, the total amount of appropriations hereunder of \$565,351.00 does not exceed twenty-five percent of the total Budget Appropriations of the Township of Marlboro for 1977, exclusive of any appropriations made for debt service, or capital improvement fund;

NOW, THEREFORE, BE IT RESOLVED that the following temporary budget for the Township of Marlboro for the year 1978 be adopted, and a certified copy of this Resolution be forwarded to the Township Finance Director for his records.

The resolution was seconded by Councilman Mc Clung, and adopted by unanimous vote.

Rabbi Teplitz of Temple Ohev - Shalom pronounced the benediction.

Councilman Klau made a motion to adjourn, which was seconded by Councilman Vuola, and adopted unanimously.

MINUTES APPROVED: August 10, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

JANUARY 12, 1978

The meeting was called to order by the Council President at 8 P.M. After the salute to the flag, the roll was called indicating that all councilmen were present. Also present were Township Attorney, Herbert B. Bierman, Deputy Mayor, James Newman, Business Administrator, Mary T. Denton, and Acting Township Clerk, Marjorie E. Currey.

Council President Croddick read the following Announcement of Meeting:

"Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was hand-delivered to the Asbury Park Press on January 4th, mailed to The Daily Register on January 5th, posted on the bulletin board of the Municipal Offices, and filed in the office of the Clerk."

There was no Administrative Report.

The Council President opened the portion of the meeting known as the Citizen's Voice. Mrs. Irene Matulewicz of 22 Harrington Terrace was the first and only speaker. She described a serious problem in her neighborhood: that of ten or so dogs roaming the streets, unleashed, growling, frightening people, dirtying the streets and lawns and destroying shrubbery. They also tear open garbage bags awaiting collection. Mrs. Matulewicz has had no response from the police who have told her that if a dog has an owner, they cannot go on private property to get it. She believes our laws are not being enforced. She has taken one person to court twice for dog violations. The dogs still roam the area. She has called the Humane Society three times and they have not come. She asked who has the responsibility to enforce the law. The Business Administrator said weekends and holidays require an emergency situation before the Humane Society will act. She said she would call them and ask that a trap be placed on the Matulewicz property.

The Deputy Mayor said the town is not happy with the service rendered by the Humane Society but that they are the only group performing any such service. He stated that the Administration was looking for a substitute for the Humane Society. He also said that it is not a police function to enforce the dog ordinance. Mrs. Matulewicz said that these dogs have attacked children and old people and have done at least one hundred dollars worth of damage to her shrubbery. She asked the council and the Mayor to make a statement to the press on this matter in order to inform the public.

Charles Smith of Greenwood asked to speak and was recognized by the

Council President. He stated that he agrees with Mrs. Matulewich; There are many dogs on the loose not owned by anyone and the police say they cannot go on private property to catch them.

The Council President asked the Business Administrator to see that all members of the police force are acquainted with the township ordinances relating to dog control. Mr. Croddick said that if the problem persists, the Council will take further action.

The Council President asked Councilman McClung to introduce the first legislative item on the agenda, Resolution #19-78. The councilman said he did not wish to introduce this resolution because he could not support it.

Resolution #19-78 was then introduced by Councilman Klau:

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

AN ORDINANCE SUPPLEMENTING AND AMENDING
AN ORDINANCE ENTITLED " AN ORDINANCE FIX-
ING THE SALARIES OF THE OFFICERS AND EM-
PLOYEES OF THE TOWNSHIP OF MARLBORO (1977) "

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

BE IT FURTHER RESOLVED that the same be considered for final passage on January 26, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Councilman Grossman seconded the resolution.

Council President Croddick asked if there were any discussion on this resolution and Councilman Vuola asked to speak.

He said the resolution represented broken campaign promises on the part of the Marlboro Coalition. Since Mr. Croddick was not a part of that coalition, such promises do not reflect his attitude. The Councilman said we had a clerk for three years who earned \$13,000 a year. We put a girl in the office to help out when needed, sometimes 5 days a week, sometimes 4 or 3. The extra girl got \$6000 per year. Total salaries for the clerk's office, \$19,000. That girl was also capable of answering phones when people were out and doing clerical work in any department requiring help. We are now faced with the proposition of a deputy clerk who cannot perform those functions, and at \$7500. That is \$1500 more, and she will be doing the same job, that of clerk-typist. But

we cannot use this girl in any other capacity than deputy clerk. The girl who took the clerk's job is getting \$11,000 a year. Add to that \$7500 for the deputy clerk and you now have \$18,500. Add to that the \$6000 for the girl who was in there, under Civil Service, and cannot be fired, and get what we are talking about. We are talking about increasing a position roughly \$10,000. Councilman Vuola continued by saying he would find it very hard to vote for this. He said he would have much preferred that Council President Croddick or Mr. Klau or Mr. Grossman, at a caucus meeting, present him and Mr. McClung with one person to accept the job as clerk for \$13,000. He said he did not know how he would have voted, but he might have been able to vote "yes." Now he would have to vote "no."

Councilman Vuola also raised the question as to why Mrs. Currey accepted the job for \$11,000, when the job called for \$13,000. He warned that the council might have to pay her at the rate of \$13,000 until this ordinance is changed. He wondered why someone supposedly equipped to do the job would take a \$2000 cut in salary. The position of municipal clerk is a singular position. He questioned why we need a range of \$9500 to \$13,000 when the acting clerk has accepted a salary of \$11,000. Similarly, the salary for the deputy clerk in this Ordinance has a range, and the councilman asked why it was not locked in at \$7500. He asked whether it was the intent to increase the salary at some point. He would not like to think that. He said that the possibility is there.

The Councilman continued his arguments saying that he had asked for an interview with this person (the candidate for deputy clerk) and did not get one. He also asked for a resume but he has none, nor has Mr. McClung. The Coalition said it would interview the best personnel in Marlboro, but there were no interviews, nor any resumes. He thus has no idea whether any other people applied for the job. Promise No. 1 is down the drain.

The Coalition promised not to hire any people who were political. Councilman Vuola said we are now in the position of having as clerk a person who ran for a County Committee seat and who is still carrying on her car a Marlboro Coalition bumper sticker. Promise No. 2 is down the drain.

The Councilman then said he had to question the propriety of the Advisory Committee on New Legislation. The resolution appointing its members, adopted on January 2, 1978, constitutes a broken promise to this council. It was included in the agenda without the knowledge of Councilman McClung or himself. That may be a violation of the Sunshine Law. Councilman Vuola concluded his remarks by saying that he believes the intentions of Council President Croddick have always been honorable.

Councilman Klau reminded Councilman Vuola that he had a verbal resume from the acting clerk at the time she was interviewed by the council. The acting clerk gave her educational and business background in response to questioning by Councilman Vuola and other members of the council. As to comparative salaries, the council majority is still under the old set-up because it does not have a deputy clerk.

As to someone from the typing pool helping the acting clerk, Councilman Klau commented that that person must be extremely busy because she has not been around to help the acting clerk at all. That only points out the need for a deputy clerk.

With regard to civil service personnel, Mr. Klau asked the Township Attorney whether a person under civil service could be terminated if the township no longer needed his or her services. That query was not answered because of interruptions at the table and Mr. Bierman stated that once a person has civil service certification he cannot be removed without cause. Mr. Klau then asked the Business Administrator how many employees were not certified. Mrs. Denton said she was not, nor the Building Inspector, nor the Tax Assessor nor the Tax Collector. However, all the secretaries are certified. Mr. Klau said they must be very busy because they have not been around the clerk's office.

Councilman Grossman addressed himself to Councilman Vuola's criticism of the acting clerk for accepting a salary of \$11,000. He said that at the meeting of January 2nd the Councilman had himself introduced the same resolution substituting the name of Joan Czech. (The January 2nd resolution states that the acting clerk is appointed at a salary of \$11,000 for the year.)

Councilman McClung said he had yet to see resumes for any of the people appointed on January 2nd. He then asked the acting clerk for minutes of the January 9th caucus saying these were mandated by the Sunshine Law if requested.

Deputy Mayor Newman said the administration has been rendering assistance to the clerk, most recently in connection with sending out Parking Permit letters and applications. He also said other areas of assistance have been provided.

Councilman Vuola said there have been no firings for the three years of this administration; that Mr. Klau's immediate suggestion is to fire the girl (who had helped the previous clerk) which cannot be done anyway since she is under civil service. A campaign literature piece referred to all the firings in Marlboro Township. Councilman Vuola reiterated that none took place.

When the Council President asked whether anyone else wished to speak concerning this Ordinance, Councilman Vuola said he would like to ask

a question. He would like to know what day the clerk is supposed to come in at 8:30 in the morning.

The Council President said on or about February 1st at such time as we have a deputy clerk.

Councilman Vuola said he would like to ask another question. He stated that on Tuesday of this week he was at the office at 9 o'clock in the morning, and that he could not reach the clerk. He said he called at 9:45 and was told the clerk was not in. He wanted to know "what requires the clerk not to be there at quarter to ten in the morning."

The acting clerk asked the Council President whether he would like her to answer the question. She said that, having worked for 3½ hours on Monday night, she took an hour and a half off on Tuesday morning. She said she had put in far more hours than any schedule required.

Councilman Klau then asked the acting clerk whether she was in the office at any time during the weekend and her answer was that she worked for three hours on Sunday.

Councilman Grossman referred to Councilman McClung's objection to not having any resumes for any of the people appointed on January 2nd. He reminded the councilman that in December the council had received background on all the auditors applying for the position of township auditor, including Haskins & Sells, who received the appointment.

Councilman McClung said he did not want to harass the clerk, but that when one accepts an appointment one has to do whatever is required. He said that under the administrative code one or two or ten deputy clerks might be appointed; that it was the responsibility of Messrs. Croddick, Klau and Grossman, who appointed the acting clerk, to see that whatever was required was done. The Council President assured him the work would be done.

Since no one had anything further to say on this resolution, Council President Croddick asked the acting clerk to call the roll. Councilmen Croddick, Klau and Grossman voted Aye; Councilmen McClung and Vuola, Nay.

Councilman Grossman introduced Resolution #20-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials, as required by law:

Swim Club Concession

The resolution was seconded by Councilman Vuola and adopted unanimously on a roll call vote.

Councilman Vuola introduced Resolution #21-78:

WHEREAS the Marlboro Township Municipal Swim Pool will incur certain operating expenses in the first quarter of 1978; and

WHEREAS, the laws of the State of New Jersey permit the adoption of a temporary budget for use during that period, which said budget shall not exceed 25% of the 1977 Marlboro Municipal Swim Pool budget;

NOW, THEREFORE, BE IT RESOLVED that the attached Schedule A shall constitute the temporary budget in 1978 for the Marlboro Municipal Swim pool.

SCHEDULE A

MARLBORO SWIM CLUB

Temporary Budget

1978

OPERATING:

Other Expenses	\$15,000.00
Bond Principal	\$50,000.00
Interest on Bonds	\$29,906.25
TOTAL	<u>\$94,906.25</u>

The Resolution was seconded by Councilman Klau and adopted by unanimous vote.

Councilman McClung introduced Resolution #22-78:

BE IT RESOLVED by the Council of the Township of Marlboro that the Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law:

All Municipal Purchasing
See Schedule A attached.

SCHEDULE A

- | | |
|----------------------------------|------------------------------------|
| 1. Road Uniforms | 6. Tires |
| 2. Police Uniforms | 7. Cars & Trucks |
| 3. Road Materials | 8. Radio parts, repair & Equipment |
| 4. Discount on Auto Parts | 9. Recreation Equipment & Supplies |
| 5. Gasoline, Motor Oil, Fuel Oil | 10. Gypsy Moth Spraying |
| | 11. Unserviceable Vehicles |

The Resolution was seconded by Councilman Vuola and adopted unanimously on roll call vote.

Councilman Klau introduced Resolution #23-78:

TOWNSHIP OF MARLBORO

COUNTY OF MONMOUTH, STATE OF NEW JERSEY

RESOLUTION RESCINDING A RESOLUTION PROVIDING FOR THE
CANCELLATION OF 1977 BUDGET ITEMS OF EXPENDITURE

WHEREAS, the State of New Jersey has advised the Township that its Revenue Sharing Allotments for the year 1977 have been re-certified, thus resulting in the proper amount in the 1977 Budget, need of prior Budget Amendment is no longer necessary;

NOW, THEREFORE, BE IT RESOLVED that the following Resolution, adopted by the Township of Marlboro at a meeting held on November 10, 1977, is hereby rescinded, annulled, and set aside,

WHEREAS, the State of New Jersey has advised the Township that its Revenue Sharing Allotments for the year 1977 have been certified incorrectly, thus resulting in an excess in Budget over certified amount of \$462.00;

AND WHEREAS, it is the recommendation of the New Jersey Division of Local Government Services that this excess amount be cancelled.

NOW, THEREFORE, BE IT RESOLVED, that the following Budget Expenditures as indicated below be reduced and said amount be transferred to surplus:

<u>GENERAL APPROPRIATIONS</u>	<u>CURRENT FUND</u>		<u>AMOUNT OF REDUCTION</u>
	<u>FROM</u>	<u>TO</u>	
Revenue Sharing Funds Entitlement Period (January 1, 1977 to September 30, 1977)			
Police			
Salaries and Wages	\$55,005.00	\$54,543.00	\$ 462.00

BE IT FURTHER RESOLVED that any and all authority given by and under the aforesaid resolution is hereby revoked and cancelled.

The Resolution was seconded by Councilman McClung and adopted unanimously on roll call vote.

Councilman Vuola introduced Resolution #24-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the applications for renewal of the following Trailer Coach Park Licenses be and the same are hereby approved for the calendar year 1978.

Midway Mobile Home Court
R. D. 1, Bartram Road
Englishtown, N. J.

Wickatunk Village, Inc.
R.D. 1, Morganville, N.J.

Robertsville Mobile Park
R.D. 1, Box 206
Highway 9
Englishtown, N. J.

WHEREAS, the above mentioned applicants have paid the fees due for the 1978 Trailer Park Licenses;

NOW, THEREFORE, BE IT RESOLVED that the said licenses be issued.

The Resolution was seconded by Councilman McClung and was adopted unanimously on roll call vote.

Councilman Klau introduced Resolution #25-78:

Township
BE IT RESOLVED by the/Council of the Township of Marlboro that the minutes of the following meetings be and are hereby approved:

July 24, 1977 - special
August 1, 1977 - special
September 8, 1977
September 27, 1977
October 4, 1977
October 13, 1977
October 17, 1977 - special
November 2, 1977

AND BE IT ALSO RESOLVED that the minutes of the following meetings be and are hereby tabled:

July 14, 1977
August 15, 1977 - special
August 25, 1977
November 4, 1977 - special

The Resolution was seconded by Councilman Vuola and adopted unanimously on roll call vote. Councilman Grossman voting absent as he was not a member of Council in 1977.

Councilman Grossman introduced Resolution #26-78, a copy of which is attached and made a part hereof. It was seconded by Councilman Klau and adopted unanimously on roll call vote.

Councilman Vuola introduced Resolution #27-78, a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on roll call vote.

Councilman McClung introduced Resolution #28-78, a copy of which is attached and made a part hereof. It was seconded by Councilman Vuola and adopted unanimously on roll call vote.

Councilman Klau introduced Resolution #29-78, a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on roll call vote.

Councilman Grossman introduced Resolution #30-78, a copy of which is attached and made a part hereof. It was seconded by Councilman Vuola and adopted unanimously on roll call vote.

Council President Croddick opened the Public Session by reading a report from Fire Marshall, Walter Holtz. It was dated December 10, 1977. It recommended the installation of smoke alarms in every home. The recent fire at Eaton Court occasions this recommendation. Mr. Croddick said the Monmouth Heights Civic Association should promote the use of smoke alarms. He wants the Fire Marshall to set up a meeting with the residents of Monmouth Heights.

Deputy Mayor Newman is going to mail a letter over the Mayor's signature to the homeowners of Monmouth Heights strongly urging smoke alarms and pointing out the problems caused by aluminum wiring.

Councilman Grossman commended Council President Croddick for bringing this serious matter to the attention of Council and the public.

The Township Attorney said he would provide each member of the council with a copy of the State Housing Code. It is important that Marlboro adopt this housing code in which all new homes have to be supplied with smoke detectors.

Council President Croddick said we might get someone from the State Housing Commission to come to our next meeting.

Councilman Grossman read a newspaper report announcing that extra food stamp assistance is available for certain people whose incomes are made precariously low as a result of high utility bills, including those for water and sewer.

The meeting was adjourned at 9:08 P.M., all councilmen voting Aye on the roll call vote.

Minutes Approved:

August 10, 1978

Signatures on Reverse

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
Council President

RESOLUTION # 26-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
Mary T. Denton- Petty Cash	Administration	46.67	16636
Pub. Emp. Retirement System	Emp. Payroll Deduct.	3,448.16	16637
P.E.R.S. Cont. Gr. Ins.Prem	" " "	472.08	16638
P.E.R.S. Supp. Annuity	" " "	8.66	16639
St. Of N.J. Div. of Tax	" " "	1,887.33	16640
Public Assistance	Public Assistance	136.20	508-509
Monar Development Corp.	Bldg. Trust Fund	1,700.00	69
Twsp. of Marlboro a/c	Cash Exchange	52,104.72	1005
Twsp. of Marlboro Gen a/c	Due to Current	150,000.00	178
TOTAL :		\$ 209,803.82	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
Automation Paper Co. Inc.	Administration	73.66	
Business Furniture, Inc.	" "	174.00	
Central Mall Stationers	" "	7.85	
Roger Lawrence Photography	" "	36.00	
Sheraton Deauville Hotel	" "	246.80	
State of N.J. Div of Pensions	" "	10.00	
Holiday Inn	Finance	440.27	
Bayshore Stationers	Tax Assessor 8.91 Admin. 84.01 PL. Board <u>90.35</u>	183.27	
David Zolkin	Planning Board Contractural Fee	750.00	
Sound Arts Inc.	Municipal Court	97.50	
Americal Judges Assos.	" " "	40.00	
Brewer Assoc.	Engineering	131.91	
Robbins Electric	Pub. Bldg. & Grds,	68.04	
Battleground Maint. Supply Co.	" " "	30.10	
Sunset Prod. Inc.	Senior Citizens	108.25	
R. Helfrich & Sons Inc.	" "	99.50	
Van Brunt Printing Co.	Fire Marshall Services	20.00	
Andiron Inn	Police	25.00	
Ptl. Gerald Burst	"	180.00	
Camera Showplace	"	18.54	
Ptl. Tim Emmons	"	180.00	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
E. Gerstenberg & Son Inc.	Police	830.00	
Ptl. Charles Haycock	"	180.00	
V.E. Ralph & Son Inc.	"	78.60	
Ptl. David Wells	"	180.00	
Building Technology Research Division, Stevens Institute	Inspections	35.00	
Harris Hardware	Sts & Rds 12.41 Pub. Bldg & Grds 6.48 Grds Maint 68.31 Equip Maint 8.95	96.15	
Matawan Lumber Co.	Sts. & Rds 107.15 B.O. 3/74 43.36 Grds Maint 56.03	206.54	
Joseph A. Mazzeo	Sts. & Rds 128.20 Grds. Maint 488.00	616.20	
Millhurst Mills Inc.	Sts. & Rds.	59.44	
N.J. Concrete Pipe Co.	Sts. & Rds.	1,427.40	
C.H. Roberson Inc.	Sts. & Rds.	48.52	
L.D. Seely Co.	Sts. & Rds.	14.20	
Top Hat Uniform Rental	Sts. & Rds.	319.60	
Hargill Supply Co. Inc.	Equip. Maint.	29.91	
Colots Service	" "	267.35	
Matty's Auto Parts, Inc.	" "	871.65	
Tom's Ford Inc.	" "	121.27	
Sprague's Oil Service Inc.	Equip. Maint. 3314.48 Utilities 594.24	3,908.72	
Gale's Industrial Supply	Grds. Maint.	79.28	
Shore Tractor Co.	" "	12.06	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
J.C.P.L.CO.	Utilities	685.89	
	St. Light.	<u>551.92</u>	1,237.81
Gordon's Corner Water Co.	Utilities		48.00
N.J. Bell Telephone Co.	"		701.04
Kepwel Spring Water Co. Inc.	"		33.50
The Bayshore Independent	Health & Welfare		79.20
Assoc. Humane Societies	Dog Regulations		463.75
Josten's	Library 1976 o/e		16.91
Witthoefft & Rudolph Architects	B.O. 20-77		10,450.00
Benjamin Litwin, R.M.A.	B.O. 10-77 -	2,538.00	
	B.O. 12-73 -	<u>282.00</u>	2,820.00
Herbert B. Bierman, Esq.	B.O. 20-77		3,000.00
Herbert B. Bierman, Attorney Trust Account	B.O. 14-73		9,751.29
Garden State Equipment Co.	Sts. & Rds.		2,000.00

TOTAL: \$ 42,904.08

OFFERED BY: Grossman

AYES: 5

SECONDED BY: Klau

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

12/19/77
Date

Sheila Ficklin
Treasurer

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
Marlboro Twsp. Bd. of Ed.	Local Dist. Taxes	310,018.00	
Board of Ed. F.R.H.S.	Dist. Taxes	96,782.68	
Bd. of Fire Commissioners	Fire Dist. # 2	25,650.00	
A. & P.	Administration	45.99	
Artie's Place	" "	150.00	
Drug Fair	" "	2.59	
I B M Corp.	" "	232.80	
Bayshore Stationers	Admin. 11.61 Engineer 77.40 Insp. 20.57 Police 474.00 Equip Man <u>16.74</u>	600.32	
Benjamin Litwin R.M.A.	Admin. 700.00 Finance 160.00 BO 10/77 <u>1280.00</u>	2,140.00	
N.J. Monthly	Administration	10.00	
Joseph LaMura	Tax Assessor	106.80	
S T C Computer Services	" "	206.55	
Best Electric Co.	Pub. Bldg. & Grds.	275.00	
Asbury Park Press Inc.	Bd. of Adjust	3.96	
The Busy BBB'S Florist	" " "	15.50	
The Don Quixote Inn	Senior Citizens	310.00	
Friendship Club of Marlboro	" "	151.83	
Arthur Jones	" "	25.00	
Jacob Emmanuel Inc.	Insurance	25,125.63	
State of N.J. Div. of Pensions	Health Benefits	26.66	
State of N.J. Div. of Pensions	Health Benefits	39.53	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
Miller Uniforms Inc.	Fire Marshall Service	55.50	
American Red Cross	Police	6.50	
Atlantic Glass Co.	"	4.41	
Build & Save	"	55.84	
Edward Dengrove, MD	"	75.00	
George Franklin	"	5.60	
Marlboro Automotive Glass	"	50.00	
Marlboro Dry Cleaners Inc.	"	208.00	
Francis X Moore Esq.	"	250.00	
V.E. Ralph & Son Inc.	"	16.85	
Red The Tailor Inc.	"	378.85	
Robbins Electric Co.	"	101.10	
Scrub-A-Dub of Cambridge	"	27.00	
Joseph A. Mazzeo	Police	268.95	
	Sts & Rds	48.70	
	B.O. 10/77	<u>537.95</u>	855.60
3 M Company	Highway Safety	78.35	
Edward Savoie	Inspections	170.75	
Lyncar Corp.	Sts. & Rds.	128.46	
	B.O. 10/77	<u>174.08</u>	302.54
C.H. Roberson Inc.	Sts & Rds.	110.64	
Chas. Schaefer Sons Inc.	" "	2,676.25	
Bay Automatic Transmission	Equip. Maint.	275.00	
Bayshore Bandag	" "	414.16	
Colots Service Inc.	" "	237.86	

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

The Resolution was seconded by Councilman Klau and carried on the roll call vote: Councilmen Croddick, Klau and Grossman voted Aye; Councilmen McClung and Vuola, Nay.

Councilman Klau introduced Resolution #31-78:

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the nomination of Michael Troy as a Commissioner of the Marlboro Township Municipal Utilities Authority is hereby ratified and he is appointed for a term commencing on the 1st day of February, 1978, and expiring on the first day of the fifth February next ensuing after the date of this appointment.

The Resolution was seconded by Councilman Grossman. When the Council President called for discussion, Councilman Vuola asked to amend the Resolution by substituting the name of Stanley Young. Councilman McClung seconded the amended Resolution which was defeated on roll call vote: Councilmen McClung and Vuola voted Yea; Councilmen Grossman, Klau and Croddick, Nay.

Councilman McClung then moved to amend the Resolution by substituting the name of Homer McCall. This was seconded by Councilman Vuola and defeated on roll call vote: Councilmen McClung and Vuola voted Yea; Councilmen Grossman, Klau and Croddick, Nay.

Councilman Klau read a good portion of Michael Troy's resume. His entire work history was included. Mr. Klau believes Mr. Troy to be the best qualified person for this position.

Councilman Grossman said Mr. Troy is well qualified and will be a credit to the council and the township. The fact that he is a Republican should make no difference. He said it is important to appoint qualified people.

Council President Croddick asked the Clerk to call the roll on the Resolution under discussion. It was carried on the roll call vote, Councilmen Grossman, Klau and Croddick voting Aye and Councilmen McClung and Vuola, Nay.

Councilman Grossman introduced Resolution #32-78:

WHEREAS there exists a need for architectural inspection and supervision of the construction of the Police Headquarters and Municipal Complex; and

WHEREAS the maximum amount of the contract is \$24,000.00 and the provisions of the Bond Ordinance providing the funds and all amendments and supplements thereto have been complied with, and said funds are available and have been certified by the Local Finance Officer; and

WHEREAS the Local Public Contracts Law requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Emanuel Milstein, R.D. #1, Box 813, Marlboro, New Jersey 07746.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A: 11-5(1) (a) of the Local Public Contracts Law because the services rendered require knowledge and experience to be performed by a person authorized by law to practice architecture and are not readily subject to the preparation of specifications.

3. A notice of this action shall be printed once in the Asbury Park Press.

The Resolution was seconded by Councilman Klau.

Councilman Vuola wished to discuss the Resolution. He asked whether Mr. Milstein was an architect. He asked whether we are hiring an architect. Mr. Bierman informed him that the Local Public Works Representative does not have to be an architect. Mr. Vuola said that he understood we are hiring Mr. Milstein because he is an architect.

Councilman Klau said that an architectural background was one of the qualifications which Mr. Van Aartrijk thought the person should have. Councilman Vuola said he knew there was no problem with our intent, but he wondered whether we are passing something contrary to the contract as it reads.

Councilman Grossman read paragraph 3 of Mr. Van Aartrijk's report on the qualifications of the Local Public Works representative.

Councilman Vuola said he would vote "no" again. This has nothing to do with Mr. Milstein personally. He knows he has ample qualifications for this job. Under a Federal contract, we are going to pay him \$26,000 for a job which should take about three-fourths of his time. He intends to make it a full-time job. The salary does not provide for any contingencies. Mr. Vuola would like to see some money left over. He feels that \$26,000 is going overboard. Although it is not money coming from Marlboro Township, he will vote against the reso-

lution. The township should not be responsible for contingencies should trouble arise. He asked that we cut the salary to \$24,000 possibly.

Mr. Croddick asked what per cent should be allowed for contingencies. Mr. Bierman said 4% of the amount of the bond. Under EDA requirements, a certain fund is set up for inspection procedures. For example, if you require a testing service to test concrete or steel on the job, the cost must be charged against an inspection fee. If you provide the entire \$26,000 for this contract, there will be nothing for testing items in the bond ordinance. We may find we have to do this outside the bond issue. He recommends that some funds be left in an inspection account for this problem.

Councilman McClung said he had a problem with all of this. He is familiar with construction. He does not think we should pay \$26,000 (Less 4% now) for an individual to be clerk of the works. The job does not require an architect. This is highly unreasonable and he recommended that the salary be cut in half. He said this would make common sense. Anything more is a waste of money.

Councilman Klau said that inspection fees are reimbursed dollar for dollar by the Federal Government. It does now cost the township more to make sure the job goes well, to see that the building is put up properly. It is not costing the township one red cent more. He said he does not mind getting someone overqualified.

Councilman Vuola said Mr. Klau was right: it would not cost the township any money. He does think Mr. Milstein is perhaps overqualified. If we give him \$26,000 and something comes up, we have to pay. He stated that at Monday night's caucus, two other gentlemen were proposed for this job, but council refused to interview them. Council had one interview and that was with Mr. Milstein. He would have liked to interview the other two men, who might or might not have been qualified. If they had been interviewed, each council member could have voted for or against them.

Councilman Klau said Mr. Vuola forgot to mention that one of these gentlemen did submit a resume and he was not qualified for the job. Thus there was no need for him to be interviewed. There was only one resume brought before the council at the caucus meeting. The other individual was not interested in the position according to Council President Croddick's report.

Councilman Grossman said he thinks that 4% may be too low to cover inspection fees. We should try to get a ball park figure. Council President Croddick said that if a problem arises, we have paid the architect many thousands of dollars. No one can tell what will happen in the future. We must move forward to protect the township and we must move forward on this project. We can head off the prob-

lems we had with the library. Then we won't need other fees. Any other fees, such as those for consultant or for testing concrete he thinks can be eliminated because he is sure that Mr. Milstein can bring someone in to do the work as a personal favor to him. Four per cent is all that is needed for contingencies in the present instance.

Councilman Grossman is not sure four per cent will be enough. He suggests 8%. The Council President says that cutting the salary to \$24,000 will leave \$2,000. Is that agreeable to the members of council?

Councilman Vuola said he agrees with Councilman Grossman that we should leave more money: at least \$3,000. The Council President repeats \$2,000 and asks again whether the councilmen will accept a salary for Mr. Milstein of \$24,000. Councilman Grossman then said he would change his mind and agree to that figure. Councilman McClung said we would then have two architects on the same job. The Council President said he was wrong.

A roll call vote was called on the resolution as amended, with Mr. Milstein's salary being changed to \$24,000. Councilmen Grossman, Klau and Croddick voted Aye; Councilmen McClung and Vuola, Nay.

Resolution #33-78, awarding the bid on the vacuum street sweeper to The Comming Co., Inc. of Garwood, New Jersey, was tabled until the next meeting.

Resolution #34-78, approving the minutes of four 1977 meetings was also tabled, after being introduced by Councilman Klau and seconded by Councilman McClung.

Councilman McClung introduced Resolution #35-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Special Permit for a Social Affair, pursuant to R.S. Title 33: C. 1 of the State of New Jersey (Division of Alcoholic Beverage Control), be granted and it is hereby granted, to New Breed C.B. Club of Iselin, New Jersey, in accordance with their Application No. A-21 which gives the date of the special affair as February 4, 1978, and the place as the Morganville Fire Department.

The Resolution was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman Vuola introduced Resolution #36-78:

WHEREAS, the Monmouth County Board of Taxation has granted judgments

as per the attached Schedule "A", and WHEREAS, owners of property as per the attached Schedule "A" have paid their 1977 taxes,

NOW, THEREFORE, BE IT RESOLVED the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby directed to refund the amount of \$2,071.17 as per Schedule "A".

SCHEDULE A

<u>Block</u>	<u>Lot</u>	<u>Assessed Owner</u>	<u>REFUND</u> <u>JUDGMENT</u>
34	28-A	Nicola & Teresa Cianchetta	\$1,997.22
63-J	8	Myron & Anita DiVittorio	<u>73.95</u>
		TOTAL	\$2,071.17

The Resolution was seconded by Councilman McClung and carried unanimously on the roll call vote.

Councilman Grossman Grossman introduced Resolution #37-78:

WHEREAS the property known as Block 26-D, Lot 6-C, assessed to Anthony and Linda Palumbo, was assessed for a sub-division and taxed accordingly in the amount of \$303.91, and

WHEREAS, failure by the previous owner to file with the County negated this sub-division,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to release the Tax Collector from collection thereof and orders the same cancelled.

COPY OF LETTER ATTACHED

January 10, 1978

Dear Shirley:

Regarding Block 26-D, Lot 6-C, owned by Anthony and Linda Palumbo, please be advised that although this office received an approved sub-division from the Planning Board, failure by the previous owner to file with the County negated this sub-division. Therefore, it is requested that the 1977 taxes in the amount of \$303.91 be cancelled.

Sincerely,

"Joseph C. LaMura
Tax Assessor

Councilman Klau introduced Resolution #38-78:

WHEREAS, the rightful owner of property designated as Block 37, Lot 18-A, has redeemed respective Tax Sale Certificate to the Tax Collector of the Township of Marlboro, and

WHEREAS, this lien was issued for water delinquency, the Marlboro Township Municipal Utilities Authority is entitled to this payment amounting to \$145.19;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the amount of \$145.19 be refunded to the Marlboro Township Municipal Utilities Authority.

The Resolution was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #39-78:

BE IT RESOLVED that the Township Clerk is directed to maintain the record tapes of the meetings of the Township Council of the Township of Marlboro for a period of two (2) years from the date of each meeting.

The Resolution was seconded by Councilman Vuola.

The Council President asked if there was any discussion and Councilman Klau said he had been asking for this for several years. We used to have such a resolution but then it was changed. He recalled there was a time when the minutes of meetings were edited by the Administration; the facts were slanted. It is very difficult to go back over five months of meetings. It is proper that the tapes be kept for two years. It will strengthen the council majority and aid any minority councilman who wants to research something.

Councilman Grossman said he supports the Resolution but he called attention to something needing correction. He said it is a shame to have to table again the minutes of meetings held so long ago.

The Resolution was adopted unanimously on the roll call vote.

Council President Croddick introduced Resolution #42-78, an Emergency Temporary Resolution Prior to Adoption of the Budget:

WHEREAS, an emergency condition has arisen with respect to Snow Removal and no adequate provision has been made in the 1978 temporary budget for the aforesaid purpose, and N.J.S. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolution adopted in the year 1978 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$35,000;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for Road Repairs and Maintenance Salaries and Wages, and Road Repairs and Maintenance Other Expenses and Streets and Roads Equipment Maintenance Other Expenses in the total of \$35,000;

2. That said emergency temporary appropriation will be provided for in the 1978 budget under the title of:

Road Repairs and Maintenance - Salaries & Wages	\$20,000
Road Repairs and Maintenance - Other Expenses	5,000
Streets and Roads - Equipment Maintenance O/E	10,000

3. That one certified copy of this resolution be filed with the Director of Local Finance.

The Resolution was seconded by Councilman Vuola.

There was some discussion between councilmen and the Business Administrator about the figures in the Resolution. Deputy Mayor James Newman apologized for the mayor's departure and said that this Resolution is very important since we are expecting another storm. He said that the trucks are sanding now. He urged council to pass it. The Council President asked about the cap and the Business Administrator said this is over and above our cap; it is part of the 1978 budget which might have to be changed.

Councilman Grossman asked whether this covered possible future expenses, since we ought to have enough money to make it through the winter.

Councilman Grossman had a discussion with Mr. Bierman on Manalapan's interim zoning ordinance which was recently passed. He inquired whether we might pass an interim zoning ordinance. The Township Attorney said that the Prime, Feather & Down case is now pending in the Appellate Division. Mr. Bierman has sought a stay in our zoning until this case has been decided. That is an order prohibiting us from doing anything on zoning until the court acts on Prime, Feather and Down. The time-table does not apply to our zoning ordinance as such. However, the Planning Board should do something about land use on the Master Plan; but no action should be taken by council until the Appellate Division has acted. He said the Planning Board must adopt a Land Use Map as part of the Master Plan by February 1st.

Councilman Klau, the council representative to the Planning Board, said he brought this matter up at the last Planning Board meeting. Mr. Bierman said he would be glad to discuss this with the attorney for the Planning Board.

Councilman McClung introduced Resolution #40-78 (Bill Paying), a copy of which is attached and made a part hereof. It was seconded by Councilman Vuola and adopted unanimously on roll call vote.

Councilman Grossman introduced Resolution #41-78 (Swim Pool Bill Paying), a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on roll call vote.

Council decided to hold the Public Session before going into caucus with regard to recreation fees.

Merritt Warwick of Lloyd Road was the first speaker. He commended Council President Croddick for the way in which he chaired the meeting. He commended the police, particularly Lt. Stover, who rescued him when his car broke down during a rainstorm, protected him from oncoming traffic and then drove him home. He said he had a few things to say about the widening of Lloyd Road and waste disposal. He thinks we have lost sight of the problem of waste disposal. He asked council and public to listen to a proposal, consider it and talk about it. There are many companies which can provide on-site waste disposal systems. They can turn out liquid which is drinkable. Such a system can be had for \$3000. As of tonight he is in trouble with the State Board of Health. He would like to spend his own money on a waste disposal system. Then he wants to be exempt from tying into a future system. He will not need any sewer which may be built in the future.

The Council President said he could not answer the question of an exemption without researching it first with the Township Attorney. He said he would get back to Mr. Warwick with a legal opinion.

The next speaker was John Batton. He also was in Manalapan last night until the end of the meeting and he thanked Councilmen Klau and Grossman for their support. He said that Manalapan gave no reasons for vetoing the Morganville Collector System. Last summer at a council meeting he talked about homeowners who might have difficulty in paying for the sewer hook-up. He wrote to Congressman James Howard about this and received a letter stating that funds might be available for low and moderate income families. Councilman Vuola said that funds are available. Mr. Batton said that Manalapan had raised the question of whether the people of Morganville really want sewers. He wondered whether that question is still a problem with Manalapan.

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
A.S. Gilbert Inc.	Equip. Maint.	370.00	
Hargill Supply Co. Inc.	" "	9.05	
Imperial Oil Co. Inc.	" "	176.10	
Industrial Welding Supply	" "	33.41	
Matty's Auto Parts Inc.	" "	2,358.25	
Tom's Ford Inc.	" "	99.25	
Tri-County Dist.	" "	60.00	
Walter Heath Co. Inc.	Grd. Maint. 10.00 Equip. Maint <u>30.00</u>	40.00	
W.H. Potter & Son Inc.	Grds. Maint.	766.00	
N.J. Bell Tele.	Utilities	675.13	
N.J. Nat. Gas Co.	" "	315.37	
J.C.P.L.CO.	Utilities 2160.27 St. Light. <u>6266.81</u>	8,427.08	
Associated Humane Society	Dog Regulations	438.75	
Colonial News Transcript	Recreation	5.75	
Creek-Turn	"	376.54	
B. & I. Locksmith	Library	96.00	
Marlboro Auto Body	Reserve for Damage to Vehicles	716.73	
Lynn Equipment Co.	B.O. 10-77	6,598.00	
Mr. Robert Crowe	Police o/e 1978	200.00	
Dept. of Marlboro & Payroll loan Czech	Contingent	600.00	
	Total:	489,836.05	

OFFERED BY: VUOLA

AYES: 5

SECONDED BY: McCLUNG

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

1/9/78
Date

Shelva Fishpen
Treasurer

Adopted Jan 12, 1978

OFFERED BY: McClung

AYES: 5

SECONDED BY: Vuola

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

1/9/78
Date

Sheila Ficklin
Treasurer

RESOLUTION # 29-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
J.C.P.L.CO.	Swim Pool 1977	143.04	
Michael Sobin	Swim Pool	20.00	
	Total:	163.04	

OFFERED BY: Klau

AYES: 5

SECONDED BY: McClung

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

1/9/78
Date

Shula Fishkin
Treasurer

January 12, 1978

RESOLUTION # 30-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Dan McCarron & Son	B.O. 20-77	24,498.90	
Witthoefft & Rudolph Architects	B.O. 20-77	5,759.72	
	Total;	30,258.62	

OFFERED BY: Grossman

AYES: 5

SECONDED BY: Vuola

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

1/9/78
Date

Sheila Fiskin
Treasurer

COUNCIL OF THE TOWNSHIP OF MARLBORO

REGULAR MEETING - JANUARY 26, 1978

The meeting was called to order by Council President Croddick at 8:00 P.M. After the salute to the flag, the roll was called indicating all councilmen except Mr. McClung present. He arrived at 8:26 P.M.

Also present were Mayor Goldzweig, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T. Denton, who arrived at 8:10 P.M. and Acting Clerk, Marjorie E. Currey.

The Council President read the following Announcement of Meeting:

In accordance with the provisions of the Open Public Meetings Act, notice of this meeting was hand-delivered to the Asbury Park Press on January 4, 1978, and mailed to The Daily Register on January 5, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Acting Clerk.

The Citizen's Voice was opened next, the following people having signed: Alyce Lathrop, Pleasant Valley Road; Merritt Warwick, Lloyd Road; Saul Hornick, 36 Ruby Drive, Morganville; Vincent Matulewich, 22 Harrington Terrace, Morganville; E. F. Gorzelnik, Morganville; and Frank Goodman of 12 Truman Drive, Marlboro.

Mrs. Lathrop complained that a letter she had written to Council President Lawrence Grossman last October had not been answered (apparently objecting to a new subdivision near her house). She spoke of a ten-day right of appeal to the council. She said this right exists in the Land Use Act. Attorney Bierman explained that no such right of appeal exists in any Township ordinance, but she has always had a right of appeal through the courts, and can use it. The Council President asked Mr. Bierman whether we might consider passing an ordinance and Mr. Bierman replied in the affirmative. Council President Croddick told Mrs. Lathrop the matter would be discussed at the next caucus meeting. She said that would be too late. She then talked about noise pollution and the necessity of measuring the decibels and inquired as to why the Township Environmental Officer, Mr. Creevy, did not do this. Mr. Croddick said the matter could be turned over to him.

Mr. Warwick deferred to others until the Public Session.

Saul Hornick said he had received a letter from Mayor Goldzweig on Township stationery. It was about the problems of the WMUA. The mayor seemed to be defending the Authority and Mr. Hornick said he thought the letter should have come from the WMUA or the WMUA Commissioners. He questioned whether Lawrence Grossman should continue on the Authority based on his past performance as treasurer. The increase in sewer rates will hurt so many people. Mr. Hornick urged that Mr. Grossman be removed from the WMUA. He also said the WMUA

should pay for the letter the mayor had sent out. He asked the council to consider a resolution censuring Lawrence Grossman. Mr. Croddick said the council would take it under advisement.

Mr. Gorzelnik also spoke about the WMUA. He regards Manalapan's veto of the Morganville sewer system as unethical. He and his neighbors have sought the advice of the Public Advocate of the State of New Jersey on this matter. He asks the township to continue actively to obtain this sewer system. He would like Marlboro to disapprove the extension of sewers in Manalapan in retribution for Manalapan's vote against the Morganville Collector System.

Mr. Gorzelnik then asked whether the Children's Psychiatric Center requires a variance to take over the Hilltop property.

Mr. Croddick said he would offer a resolution directing the Township attorney to go into court tomorrow to have the Manalapan veto of the Morganville Collector System declared illegal.

Mr. Bierman said he could not determine whether the CPC would need a variance to use the Hilltop property. This determination would have to be made by the Zoning Officer.

Vincent Matulewicz called the area where he lives the cess-pool area. What about future development if we never get sewers? Will more houses be built there? He asked whether an evaluation was obtained from the Bayshore Regional Sewer Authority. The Council President said we had thought that Manalapan would go along with the Morganville project. Mr. Matulewicz said it is a crime that we will lose Federal and State grants and that we won't have the sewers we need.

According to the Township Attorney, the Department of Environmental protection has put forth entirely new rules and regulations with regard to septic systems in development houses.

Mr. Frank Goodman of Fairfield Manor asked when the township would acquire the streets of his development which are still owned by the builder. The builder has done nothing in a year and a half; he has not taken care of the amenities. He has spoken about this to the mayor and Business Administrator. When we take over the bond, he wants to be sure we include expenses which the owners will have to make.

Mr. Croddick told him that Fairfield Manor would be plowed as a township street after last week's storm.

The Council has not received a copy of the letter that is reported to be going out to residents of Monmouth Heights, according to Mr. Croddick. He said that before a letter is sent to the public, a copy should go to Council.

Council President Croddick made a motion that Township Attorney Bierman be authorized to go to court to seek a show cause order against Manalapan as to why their ruling against the Morganville Collector System should not be ruled arbitrary and without merit. The motion was seconded by Councilman Klau and all councilmen agreed it was proper to put it on the agenda. The motion was carried unanimously on roll call vote.

Councilman Vuola asked whether Mr. Bierman's authority would be broad enough so he can act as he thinks best. It is necessary to give him sufficient power. The council believes it has done so.

Councilman Grossman said that last night in Manalapan at a WMUA meeting, he raised the question of the bonding and the redemption of the bonds. There was an error in the bond resolution calling the bonds in ten years instead of three. The call is stated as 1988 when it should be 1981. This ten-year period might affect the tax-exempt status of the bonds; as may the veto resolution of Manalapan. Councilman Grossman asked the Township Attorney to take note of these facts.

Councilman Klau said that Mr. Bellush's statements might be helpful to our attorney because he was in favor of the Morganville Collector System.

Mayor Goldzweig gave his administrative report. He said he had sent a letter to our Road Department commending them for the fine work they did during the recent storm. It is because of their excellent performance that Marlboro is not having the problems of other nearby towns.

The mayor then replied to some of Mr. Goodman's question about Fairfield Manor. He said the township provides police patrols even before developments are occupied. Fairfield Manor is still owned by the builder, but Marlboro police patrol it. If council releases the bonds, we own the streets. If we own the streets we are responsible for them. Until the final coat of blacktop goes on, we cannot own the streets. Mayor Goldzweig does not recommend the release of the bonds.

The Mayor also included the WMUA in his report. He said all four Commissioners approved the Morganville project. He is pleased that council is fighting to keep the project alive. It would be a crime to lose the 3.3 million grant, especially after obtaining an extension from EPA. He hopes the Authority will be able to fulfill its function of providing the necessary sanitary service to Marlboro and Manalapan. He felt he had to send out a letter explaining the increase in sewer rates since the WMUA did not do so.

Council President Croddick introduced Resolution #19A-78:

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

ORDINANCE #1-78

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1977)."

January 26, 1978

Whereas, The Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Asbury Park Press	Admin-77	\$ 121.88	
Central Mall Stationers	Admin-77	11.20	
Rutgers University	"	91.00	
E. Usher-J. Pilato Co.	"	12.24	
A.J.K. Wilder Inc.	"	50.00	
Monmouth Communications Systems	"	20.00	
McLain Sign Studios	"	210.00	
Mat-Key Press Inc.	Admin-77 \$ 32.00 Hwy Safety-78 <u>57.00</u>	89.00	
IBM Corporation	Admin-78	560.08	
Bayshore Independent	"	237.10	
Andiron Inn	"	100.00	
New Jersey State League of Municipalities "		364.00	
Municipal Finance Officers Assoc.	Finance-78	25.00	
Tax Collectors & Treas. Assoc.	Finance-78 \$ 25.00 Tax Coll-78 <u>25.00</u>	50.00	
General Office Supply Co.	Tax Assessor-77	882.05	

VENDORAPPROPRIATIONAMOUNT CK.#

Freehold Transcript	Tax Coll.-77	\$ 242.88	
Monmouth County Club	Tax Coll.-77	84.00	
R. S. Knapp., Inc.	Engineer-77	\$ 343.25	
	" 78	<u>4.50</u>	347.75
American Public Works Assoc.	Engineer-78		35.00
C. J. B. & Co.	Bldg. & Grds-78		3375.00
N.J. Federation Of Planning Off.	Planning Bd.-78		70.00
Norman Kauff, Esquire	Bd. of Adj. Cont.-77		312.00
Scrub A-Dub of Cambridge	Police-77		54.00
Red the Tailor Inc.	Police-77		470.80
William Quinn & Son	"		300.00
Madison Bionics	"		129.77
Joseph Mazzeo	Police-78		86.20
Base Automotive Supply	"		120.00
Freehold Lumber Co.	Hwy Safety-78		14.57
Lyncar Corporation	Sts & Rds.-77		161.96
Top Hat Uniforms Rental	"		479.40
C. H. Roberson Inc.	Sts & Rds-77	\$ 9.00	
	" 78	<u>77.19</u>	86.19
Sprague's Oil Service Inc.	Equip Maint.-77		3680.54
Marlboro Auto Wreckers	Equip. Maint.-77		125.00
General GMC Sales Inc.	"		59.84
Barg's Lawn & Garden Shop	Equip. Maint.-77	\$45.00	
	" 78	<u>65.00</u>	110.00
Industrial Welding Supply	Equip. Maint.-78		24.67
A.S. Gilbert Inc.	"		902.70
Freehold AMC Jeep Corp.	"		13.48

	APPROPRIATION	AMOUNT CK.#
Battleground Maintenance Supply	Grds. Maint.-78	\$ 51.00
Associated Humane Societies	Dog Regulation-77	463.75
Paul Mark Printing	Recreation-77	210.50
Robbins Electrics Inc.	Library-77	85.20
Benard Preis	B.O. 3-74	600.00
Manzo Contracting Co.	"	719.50
Campbell Foundry Co.	"	640.00
Jersey Central Power & Light	Utilities-77 \$900.47	
	Sts. Light-77 <u>490.41</u>	1390.88
N.J Bell Telephone	Utilities-77	1126.63
Kepwel Spring Water	Utilities-77	24.00
George Miller & SON	Dog License Acct.	160.00
	TOTAL:	<u>19,580.76</u>

OFFERED BY: MC CLUNG

AYES: 5

SECONDED BY: VUOLA

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

1/23/78

Date

Sheila Fiskin
Treasurer

RESOLUTION # 41-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro Township Municipal Utilities	Swim Pool-77	\$192.00	
N.J. Bell Telephone	Swim Pool-77	23.88	
	TOTAL:	\$215.88	

OFFERED BY: GROSSMAN

AYES: 5

SECONDED BY: MC CLUNG

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

1/23/78
Date

Sheila Fishkin
Treasurer

Do they really think the people of Morganville don't want sewers?

Council President Croddick said that question would be answered in litigation.

Mr. Batton said they had a copy of Schoor Engineering's report with new figures and they did not discuss this with anyone, with the Marlboro council or residents or anyone.

Saul Hornik asked about the grant for the WMUA and the extension thereof. He wondered whether Mr. Bierman will have enough time to contact EPA. Mr. Bierman said council has given him enough authority to do whatever he feels is necessary in order to attempt to save the grant. The problem is extremely complicated. The sale of bonds makes it even more so. It will require a great deal of research to determine how to approach it in court.

Mr. Hornik believes Lawrence should resign from the WMUA because he was treasurer of the authority for so long. He is still bothered by the letter the mayor sent out on the subject of the WMUA because he thinks it should have been a joint communique. In that letter the mayor said that Malanalapan overestimated the hookup fees. Mr. Hornik said that the capacity of the WMUA is only 40% used. The blame lies with Mr. Lawrence Grossman and he believes he should be censured.

Suerae Wolf asked whether Council might pass resolution prohibiting cars from parking on streets during snow emergencies. Councilman Klau said this has been recommended by Traffic and Safety and the Road Department.

Mrs. Antisell inquired about a new directive from the State EPA about septic systems on three acres of land. Mr. Bierman said he has written for a copy of this so he can make this council aware of its contents.

Elliot Yezzer said the Recreation Committee is planning to hold a Special Olympics at the highschool for a group of mentally retarded children.

At 10:17 P.M. Councilman Klau asked that the council end this part of the meeting and adjourn for the purpose of caucusing.

The council left the council chamber for the Planning Board room for the purpose of discussing and deciding upon fees for the various parts of the recreation program. The work on this fee schedule lasted almost one hour. The recreation budget was also discussed. Councilman Grossman said he was not prepared to accept the fact that \$135,000 is the final figure (total budget). He believes it is too low. He is going to try to find another \$10,000.

At 11:19 P.M., the councilmen returned to the council chamber.

Council President Croddick introduced Resolution #43-78:

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

AN ORDINANCE ESTABLISHING FEES FOR
PARTICIPATION IN THE RECREATION PRO-
GRAM OF THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on February 9, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

The meeting was adjourned at 11:22 P.M.

Minutes Approved: August 10, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO

REGULAR MEETING - FEBRUARY 9, 1978

Council President Croddick called the meeting to order at 8:00 P.M. After the salute to the flag, the Clerk called the roll indicating that the Council President and Councilmen Grossman and McClung were present. Councilman Klau arrived at 8:30 P.M. Councilman Vuola was absent.

Also present were Mayor Arthur Goldzweig, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T. Denton, and Acting Clerk, Marjorie E. Currey.

Council President Croddick read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was mailed to the Asbury Park Press and The Colonial News on January 31, 1978; posted on the bulletin board in the Municipal Offices; and filed in the office of the Clerk.

Administrative Report:

Mayor Goldzweig reported that he had written a letter to Governor Byrne requesting him to remove the expenses of snow removal after the last two storms from the budget cap. After these heavy storms, the extra expenses, over and above salaries, amounted to \$39,000. The maintenance of the vehicles was also very costly. Other towns are in the same position financially and the Mayor said we must all have help from Trenton.

After this report, the Business Administrator said the council must discuss changes in the water lines to the Municipal Complex. She is holding some vouchers for work on the Municipal Complex.

Citizen's Voice:

Sheila Gross of 2 Lindsay Drive, Morganville, was the only speaker in this portion of the meeting.

She read a letter she had written to the council deploring the tentative plans of the Freehold Regional High School Board of Education to send some Marlboro High School students to Freehold High School in order to alleviate overcrowding in Marlboro High School. The letter stated that all parents want their children to remain in Marlboro High School. She has called a special meeting on the subject at Marlboro High School at 10 A.M. on February 16th and she urges all Marlboro parents to attend. She asked council to pass a resolution supporting the position that students who live in Marlboro shall continue to attend Marlboro High School.

Mayor Goldzweig endorsed this point of view both as Mayor and as a parent. Council President Croddick asked Attorney Bierman to prepare a Resolution which could be voted on tonight.

The Council President then closed the Citizen's Voice since no one else had signed up to speak.

The legislative part of the agenda opened with the public hearing on Ordinance #2-78, the establishment of fees for the Recreation Program. Since no member of the public wished to speak, the public hearing was closed.

Councilman Grossman said he strongly supported this ordinance because it would help to balance the revenue structure of the township. He said that the tax levy portion of our revenue cannot support recreation as it has in the past. Fees from the participants are badly needed. They may be imperfect, but they are a first step in establishing some balance.

Councilman McClung asked how many votes were required to pass the resolution adopting this ordinance. The Township Attorney said a simple majority was needed.

Councilman Grossman introduced Resolution #44-78 (Ord. #2-78):

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

ORDINANCE #2-78

AN ORDINANCE ESTABLISHING FEES FOR PARTICIPATION IN THE RECREATION PROGRAM OF THE TOWNSHIP OF MARLBORO.

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman McClung and adopted on the roll call vote. Council President Croddick, and Councilmen Grossman and McClung voted Aye; Councilmen Klau and Vuola were absent from the meeting.

Councilman McClung introduced Resolution #45-78:

WHEREAS the rightful owners of properties listed on Schedule "A" have redeemed respective Tax Sale Certificates to the tax collector of the Township of Marlboro, and

WHEREAS, these Liens were issued for sewer delinquencies, the Western Monmouth Utilities Authority is entitled to these payments amounting to \$1,187.13;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the amount of \$1,187.13 be refunded to the Western Monmouth Utilities Authority.

SCHEDULE "A"

Block 51 Lot 13B - Tax Title Lien #77-19	\$112.56
Wakula - Current sewer charge	266.02
	<u>\$378.58</u>
Block 59-K Lot 16 - Tax Title Lien #77-20	\$104.88
August - Current sewer charge	161.17
	<u>\$266.05</u>
Block 65-A Lot 5 - Tax Title Lien #77-21	\$109.00
Persamanos - Current sewer charge	161.51
	<u>\$270.51</u>
Block 65-R Lot 1 - Tax Title Lien #77-22	\$113.23
Netchert - current sewer charge	158.76
	<u>\$271.99</u>

GRAND TOTAL \$1,187.13

It was seconded by Councilman Grossman and adopted on the roll call vote. Council President Croddick, and Councilmen Grossman and McClung voted Aye; Councilmen Klau and Vuola were absent from the meeting.

Council President Croddick introduced Resolution #46-78:

WHEREAS THE gypsy moth, *Porthetria dispar*, has been found heavily defoliating tree and plant growth in the Township of Marlboro; and

WHEREAS continued destruction of foliage may result in loss of valuable forest lands; and

WHEREAS the Township Council of the Township of Marlboro has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that application for any Federal, State and/or County funds available be authorized;

NOW THEREFORE BE IT HEREBY RESOLVED by the Township Council of the Township of Marlboro that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life therefrom is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, are hereby authorized to suppress this forest pest.

It was seconded by Councilman McClung and adopted on the roll call vote. Council President Croddick, and Councilmen Grossman and McClung voted Aye; Councilmen Klau and Vuola were absent from the meeting.

Councilman Grossman introduced Resolution #47-78 (general bill-paying), a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and adopted on the roll call vote. Council President Croddick and Councilmen Grossman and McClung voted Aye; Councilmen Klau and Vuola were absent from the meeting.

At 8:35 P.M. the Council President called a recess for the purpose of permitting Council to examine bills for the Municipal Complex. Business Administrator Denton brought in the relevant vouchers and other documents. However, the caucus was delayed for ten minutes so that several matters could be discussed.

The Council President asked the Mayor about plowing procedure during snow storms insofar as First Aid and Fire Company vehicles are concerned. He observed that during the last storm they were plowed out. However, within a few hours the wind had blown the snow back into the driveways and around the vehicles again. He said the Road Department will have to check back with the Rescue Squads and Fire Companies to make sure their vehicles can move.

Mayor Goldzweig replied that First Aid and Fire Company vehicles have the highest priority when it comes to being plowed out. He said both groups should be commended for their conduct during recent blizzards. He reminded Council that it can take six or seven hours to plow an entire route twice.

Council President Croddick suggested that the Mayor write a letter to Emergency Service requiring the Road Department to take a second look at First Aid and Fire Company driveways and vehicles between storms. The Mayor said he would write such a letter.

The Council President then inquired who is responsible for clearing snow away from fire hydrants during and after a storm. He thinks the Council will have to sit down with the water companies and the fire companies to decide who should perform this vital task.

Councilman McClung said the volunteer fire companies are not going to do it, so it will have to be done by the water companies.

At 8:45 P.M. Council recessed in order to hold a caucus for the purpose of reviewing a number of bills for work on the Municipal Complex.

At 9:25 P.M. the Council meeting was resumed. On motion made by Council President Croddick and seconded by Councilman Grossman, it was unanimously voted to accept changes in the plumbing contract documents for the Municipal Complex, as detailed in the letter of January 27, 1978, from Mariano D. Molina, Consulting Engineer, to Witt-hoefft and Rudolph, Architects, a copy of which is attached and made a part hereof.

Council President Croddick introduced Resolution #48-78, a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and adopted on the roll call vote. Council President Croddick and Councilmen Grossman, Klau and McClung voted Aye; Councilman Vuola was absent from the meeting.

Council President Croddick introduced Resolution #49-78:

WHEREAS, it has been proposed by the Freehold Regional High School Board of Education that a portion of the student body presently attending the Marlboro High School be transported by bus to Freehold Boro High School; and

WHEREAS, the Mayor and Township Council join with the parents of the students now in attendance at, or who may in the future attend, the Marlboro High School to urge the Freehold Regional High School Board of Education to abandon any plans to remove any Marlboro students from the school;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and Township Council recommend and urge the Freehold Regional High School Board of Education to continue to schedule all students resident in Marlboro to the Marlboro High School;

2. That the Township Clerk is directed to forward a copy of this Resolution to the Freehold Regional High School Board of Education and every member thereof as well as the County Superintendent of Schools.

The Resolution was seconded by Councilman McClung and adopted on the roll call vote. Council President Croddick and Councilmen Grossman, Klau and McClung voted Aye; Councilman Vuola was absent from the meeting.

Discussion before the vote elicited the following statements:

The Council President said the passage of this resolution was important for other towns which must be informed of our position.

Councilman Klau said that Boards of Education must listen to the people of Marlboro and that our children deserve better than to be bussed to Freehold High School.

Council President Croddick said that the members of Council will be present at the February 16th meeting which Sheila Gross has called.

The meeting was adjourned at 9:57 P.M.

Minutes Approved: August 10, 1978


Marjorie E. Currey, Acting Twp Clerk


John F. Croddick, Council Pres.

RECEIVED

JAN 30 1978

Mariano D. Molina, P.E.

Witthoefft & Rudolph Architects

Consulting Engineer

2002 E. Glen Ave.
Washington Twp.
Westwood, N.J. 07675
(201) 447-1406

January 27, 1978

Witthoefft & Rudolph Architects
655 Third Avenue
New York, NY 10017

Re: Police Headquarters and
Municipal Complex
Township of Marlboro
Marlboro, NJ

Dear Gentlemen:

We have revised the contract documents to conform with Councilman John F. Croddick directives as stated during our site meeting on January 19, 1978.

Councilman Croddick requested that the plumbing contract documents be modified to provide fire protection for the D.P.W. Barn. There is an existing fire hydrant located next to Wyncrest Road. The existing fire hydrant is too far from the D.P.W. Barn to provide adequate protection for this building. The following changes have been made to the contract documents in regard to the requirements listed above:

1. A new fire hydrant has been provided in the proximity of the Administration Building, the Municipal Court and the Police Building. The location of the hydrant is within 700 feet radius of the D.P.W. Barn and provides adequate fire protection for the latter building.
2. The 4" domestic water service line extending from Wyncrest Road to the Boiler Room in the Administration Building has been replaced by a 8" line extending from Wyncrest Road to the new fire hydrant. The location of the new line has been adjusted to provide the most economical layout under the new criteria.

RECEIVED

JAN 30 1978

Wittbasoff & Rudolph Architects

p -3-

The cost of the meter pit indicated previously is to be adjusted once construction specifications are received from the Water Co.

COST DIFFERENCE

EXTRA	\$11,295.00
CREDIT	7,295.00
	<u>\$ 4,000.00</u>

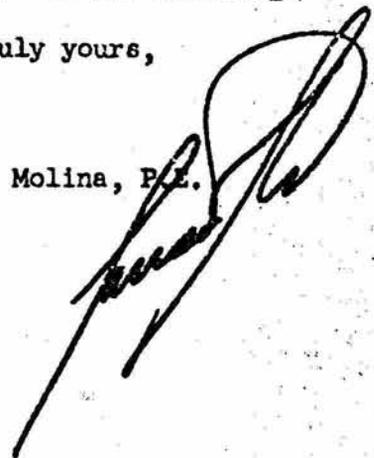
NET EXTRA \$4,840.00 Including profit and overhead.

The contract drawing revisions do not include construction details for the new meter pit. We have discussed this item with Councilman Croddick and Mr. James Demuro of Schoor Engineering Inc. The construction specifications are to be obtained from the Water Co. and will be indicated in the contract drawings once this information is received.

We also require detail and specifications of the water meter from the Water Co. The size of the meter must be adequate so as not to reduce significantly the water pressure to the building.

Very truly yours,

Mariano Molina, P.E.



RESOLUTION #47-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECK ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
State of N.J. Social Security Fund	Employees 14,353.95 Twsp. Share 14,307.69	28,661.64	16760
St. Of N.J. Soc. Sec. Admin.	Twsp. Share	10.00	16761
Wickatunk Postmaster	Admin & Exec. 1978	500.00	16762
Pub. Emp. Retirement System	Employees Pay Deduct.	3,566.82	16763
P.E.R.S. Group Ins. Prem. Fund	Employees Pay Deduct.	470.34	16764
P.E.R.S. Supplemental Annuity	Employees Pay Deduct.	8.68	16765
Twsp of Marlboro	Net Payroll Exchange	36,622.69	16766
C.J.B.T.CO. (F.I.T.)	Employees Pay Deduct.	6,558.55	16767
Morganville Postmaster	Admin. & Exec. 1978	140.00	16770
Marlboro Postmaster	Admin. & Exec. 1978	140.00	16771
Marlboro Postmaster	Drug & Alcohol 1978	108.60	16886
Morganville Postmaster	Drug & Alcohol 1978	193.87	16887
St. Of N.J. Gross Income Tax	Employees Pay Deduct.	1,875.47	16888

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CF.#</u>
Twsp. of Marlboro Net Pay a/c	Net Payroll Exchange	39,949.14	16891
C.J.B.T.CO. (F.I.T.)	Emp. Pay Deduct.	6,594.10	16892
Franklin State Bank	Debt. Service	152,989.75	16893
N.J. Emp. H.B. Fund	Insurance	2,132.80	16945
N.J. Dep. H.B. Fund	Insurance	2,333.99	16946
Public Assistance	Public Assistance Jan.78	2,502.04	519-532
Public Assistance	" " " Feb.78	90.00	533
George W. Miller & Son	Dog License A/C	160.00	1529
Twsp. of Marlboro Gen. a/c	Federal Revenue Sharing	12,841.00	417
E.L. Forest Const. Corp.	Bldg. Trust Fund	65.00	71

TOTAL : 298,514.48

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro Twsp Bd.of Ed.	Local School Taxes 1978	310,018.00	
Bd. of Ed. F.R.H.S. Dist.	Dist. Taxes F.R.H.S.	96,782.68	
C.J.B.T.CO.	Pub. Bldg. & Grds. 1978	3,375.00	
County of Monmouth	1978 County Taxes	339,633.46	
County of Monmouth	1978 County Library Taxes	11,844.54	
County of Monmouth	County Taxes	902.31	
County of Monmouth	County Taxes	26,204.30	
A. & P.	Administration 1977	139.34	
Cold Cuts Unlimited	" " "	173.25	
Marlboro Liquors	" " "	170.52	
National Assoc. of Counties	" " "	22.50	
Paul-Mark Printing Co.	Admin. 1977 - 22.60 Drug Abuse '77- <u>300.00</u>	322.60	
Steinbach	Administration 1977	8.50	
Tubachnik's World of Food	" " "	65.00	
Asbury Park Press	Admin. 1978 23.76 Bd. of Adjust. '78- <u>6.16</u>	29.92	
The Bayshore Independent	Administration 1978	28.00	
The Bayshore Stationers	Admin. 1978 - 18.00 Finance 1978 - 37.13 Inspections 1978 5.48 Hwy. Safety 1978 <u>133.88</u>	194.49	
Drug Fair- Matawan	Administration 1978	2.59	
West Publishing Co.	" " "	42.00	
I B M Corp.	" " "	29.56	
Mon, County Municipal Assoc.	" " "	75.00	
Revenue Sharing Advisory Services	Finance 1978	100.00	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Mon. & Ocean County Tax Collectors & Treasurers	Tax Collector '78- 25.00 Finance '78- <u>25.00</u>	50.00	
STC Computer Service	Tax Collector 1977	14.10	
Joseph C. LaMura	Tax Assessor 1978	103.05	
Evelyn Piccolini	Municipal Court 1977	51.00	
Precision Printing Services	" " " 1978	14.05	
Usher Publishing Co. Inc.	" " " 1978	168.52	
Schoor Engineering Inc.	Engineer 1977	77.13	
Colonial News Transcript	Industrial Development '78	235.20	
R. Helfrich & Sons	Senior Citizens 1977	50.00	
BOCA International Inc.	Fire Marshall 1978	96.00	
International Assoc. of Fire Chiefs Inc.	Fire Marshall 1978	40.00	
N.J.St. Police Training Center	Police 1977 - 25.00 Police 1978 - <u>25.00</u>	50.00	
V.E Ralph & Son Inc.	Police 1977	42.10	
Pt. G. Trampler	Police 1977	37.50	
Marlboro Dry Cleaners Inc.	Police 1978	208.00	
Lt. R. Stover	" " "	17.20	
Mat-Key Press Inc.	Police 1978 52.50 Inspection '78 <u>46.00</u>	98.50	
Bayshore Stationers	Finance '77 - 46.92 Police '77 - 435.76 Pub. Assist. '77- 4.76 Inspect. '77- 4.41 Hwy. Safety '77- 51.66 Sts.& Rds. '77- <u>146.20</u>	689.71	
John Cavaliere	Inspections 1978	36.80	
Edward Savoie	Inspections 1978	172.80	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Agway Inc.	Sts. & Rds. 1977	26.94	
	Grds. Maint. 1977	<u>7.00</u>	33.94
Garden State Equip. Supply	Sts. & Rds. 1978		4,000.00
Lyncar Corp.	Sts. & Rds. 1978		67.02
Joseph A. Mazzeo	Sts. & Rds. 1978		209.90
Quick Chek Food Store	" " " "		58.93
Romeo's Pizza	" " " "		36.10
Al Storer Trucking	" " " "		3,225.00
Bell Magneto Co. Inc.	Equip. Maint. 1977		1,200.00
Tom's Ford Inc.	Equip. Maint. 1977-	121.33	
	" " 1978-	<u>115.60</u>	236.93
Bennett's Garage Inc..	Equip. Maint. 1978		232.89
George Chevrolet, Inc.	" " "		2.21
A.S. Gilbert Inc.	" " "		1,764.18
Industrial Welding Supply	" " "		16.26
State Products Corp.	" " "		60.68
J.C.P.L.Co.	St. Lighting '78 -	5,344.28	
	Utilities '77 -	823.83	
	Utilities '78 -	<u>750.76</u>	7,918.87
Phone-Mate Inc.	Drug & Alcohol '77		32.78
Metuchen Center Inc.	Recreation 1977		3,827.80
M.T.M.U.A.	Utilities 1977		72.00
N.J. Bell	Utilities 1977-	830.59	
	Utilities 1978-	<u>58.04</u>	888.63
N.J. Natural Gas Co.	Utilities 1978		397.09
N.J. Concrete Pipe Co. Inc.	B.O. 3-74		214.80
TOTAL:			\$ 816,911.23

OFFERED BY: GROSSMAN

AYES: 3

SECONDED BY: MC CLUNG

NAYS: 0

ABSENT: 2

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

2/8/78

Date

Shirley F. Fisher
Treasurer

RESOLUTION #48-78

WHEREAS, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers; and

WHEREAS, the Finance Department has submitted a certificate stating that funds have been provided and are available;

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

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CHECK #</u>
Herbert B. Bierman, Esq.	B.O. 20-77	3,000.00	
M & R Mechanical Contractors, Inc.	B.O. 20-77	15,624.00	
M & R Mechanical Contractors, Inc.	B.O. 20-77	12,735.00	
Witthoefft & Rudolph Architects	B.O. 20-77	1,741.00	

OFFERED BY: CRODDICK

AYES: 4

SECONDED BY: MC CLUNG

NAYS: 0

ABSEMT" 1

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

2/8/78

Date

Sheila Fiskin
Treasurer

This Resolution was adopted the 9th day of February, 1978.

SPECIAL MEETING OF TOWNSHIP COUNCIL

FEBRUARY 20, 1978

The meeting was called to order by Council President Croddick at 8:05 P.M. After the salute to the flag, the Clerk was asked to call the roll. Councilmen Grossman, Klau, Vuola and the Council President were present; as were Township Attorney, Herbert B. Bierman, Business Administrator, Mary Denton, Mayor Arthur Goldzweig and Deputy Mayor, James Newman and Acting Clerk, Marjorie E. Currey.

Deputy Mayor, James Newman, read the Mayor's call for this special meeting which was as follows:

"In accordance with the provisions of N.J.S.A. 40:69A-179, I, Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a Special Meeting of the Township Council on Monday, February 20, 1978, at 8:00 P.M. at the Marlboro Municipal Offices for the purpose of paying Dan McCarron & Son the sum now owing on the general construction of the Police Headquarters and Municipal Complex. Signed, Arthur Goldzweig, Mayor."

Councilman Klau introduced Resolution #52-78:

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be It Resolved by the Township Council of the Township of Marlboro, that the following be paid:

Dan McCarron & Son, Bond Ordinance #20-77, Amount: \$40,995.00.

Certificate of Treasurer

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date: 2/17/78 and Signed: Sheila Fishkin, Treasurer

The Resolution was seconded by Councilman Grossman and adopted on the roll call vote as follows: Councilmen Grossman, Klau, Vuola and the Council President, Aye. Councilman McClung was absent from the meeting.

The meeting was adjourned at 8:07 P.M.

Minutes Approved: *January 11, 1979*

Marjorie E. Currey
Acting Township Clerk

Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO

FEBRUARY 23, 1978 - REGULAR MEETING

The meeting was called to order by Council President Croddick at 8:00 P.M. After the salute to the flag, the roll was called. All councilmen were present.

Others present were Mayor Arthur Goldzweig, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T. Denton and Acting Clerk, Marjorie E. Currey.

The Council President read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Colonial News on January 31, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Clerk.

Citizen's Voice:

Jerry Ginsberg of 15 Arlington Drive, expressed the violent opposition of all the homeowners in his neighborhood to an access road from Wyncrest Road to the proposed Board of Education bus depot. He said such placement of the access road would endanger the lives of the children of the development.

Herb Rosen of 15 Kilmer Drive, is concerned that the school bus depot be moved as soon as possible from its present site at Marlboro Elementary School. It is a potential danger to everyone at that school and will be even more hazardous next year when the number of children attending the Hebrew School will double.

Michael A. Troy of 10 Ingersoll Road, new MUA Commissioner, objected strenuously to the procedures of the Authority which has cancelled several meetings lately at the very last minute. He criticized last night's reorganization meeting at which a new attorney and a new clerk were railroaded in. Mr. Troy said he tried to speak but the chairman would not recognize him. He asked why we have to go to Red Bank to hire an attorney for the MUA. Is someone here getting a job in another town? He feels he has no recourse but to investigate what happened. It took the scheduling and cancellation of three meetings to finally achieve this reorganization meeting. He would like to investigate the use of the police force to deliver messages, such as cancellation notices of meetings. The police are public servants and should not be used for political purposes. Their job is to protect our families.

Richard Previte of 7 Kilmer Drive, read a statement about the council meetings of the last seven weeks. He said recent newspaper headlines described the attitude of two councilmen as "public be damned." The Administration is guilty of causing a meeting to be cancelled for lack of a Sunshine notice. The council minority and the administration have not had the courtesy to permit a smooth transition of personnel in the office of the clerk. Marjorie Currey represents the majority

of the Council. All three of the majority represent policies different from those of the last Council. They had the clearest mandate from the voters. They have been denied the right to formulate new policies by obstructionist tactics from within the Council. He asked the Council minority and the Administration please to end its childish bickering which costs money and delays services. He reminded everyone that we all pay taxes for the salaries of the Clerk and the Business Administrator. It is sometimes difficult for last year's majority to accept a back seat after an election. But sometimes one is called upon to do just that.

Mr. Previte urged an end to the fighting saying there are important things to fight about, such as WMUA bills and protecting our tax dollars: things far more serious than getting headlines in the newspapers. Speaking to Council President Croddick and Councilmen Klau and Grossman, he repeated: "You have a clear majority. Get your points across and let us protect the township and stop it from being a crazy town."

Mr. Alice Ostrowski of Dutch Lane Road objected to buying a Mercantile License for her dog kennel, saying that she paid \$25 for a kennel license 23 years ago covering everything. She resents having to pay for a second license. She keeps a few old dogs which are licensed. The kennel is a hobby and not a business.

Councilman Klau said Council would review the Mercantile License Ordinance. Council President Croddick asked Mrs. Ostrowski to write him a letter about the situation and he would review the ordinance. He promised her an answer.

Mayor Goldzweig asked to speak briefly before getting into his Administrative Report. He said he had listened carefully to the Citizen's Voice and stated that the use of the police to deliver messages is a matter strictly between the Mayor's office and the Council. He agrees that political bickering is counter-productive, but said we do have laws we must deal with. We have to live with the Sunshine Act, even though it is an imperfect law. Sometimes we have been unable to act because the law says we cannot.

Administrative Report:

Mayor Goldzweig said he is sorry everyone present could not have heard the discussion with the School Board last night. He asked for a feasibility study of the location of the transportation facility with the access on Route 520 and not Wyncrest Road.

On behalf of the township, he is pleased to do something for the Veterans of Foreign Wars. He said the town would lease to them for one dollar a year for 99 years two acres of land on Topanemus Road so they can build a clubhouse for social gatherings.

In a letter to the Building Inspector, the Mayor has requested that

building permits be waived on the Municipal Complex. Council would have to confirm the decision.

In a letter to our legislators in Trenton, the Mayor has requested that snow removal costs be removed from the budget cap. He has also written to Mr. Laezza, Chairman of the Local Finance Board, on that subject.

Mayor Goldzweig then distributed to the Council the Investment Report and a second report on the status of our bond ordinances. The latter is a new report initiated last year.

Mayor Goldzweig said he wanted to take this occasion to publicly praise and express the gratitude of the Administration to Lawrence S. Grossman who served Marlboro as a Democratic Councilman for eight years. For six of those years he was Council President. When Larry Grossman joined the Council, he was the only Democrat: a minority of one. He played a leadership role in a period of rapid growth in the township. The Mayor said Larry's dedication to the best interests of Marlboro over this long period of time deserved the sincere thanks of the Administration and the public. He then presented the former Council President with a plaque of commendation.

Mr. Grossman thanked the Mayor saying he had enjoyed his years of service on the Council. "It is almost as though I had not left."

Council President Croddick said he would like to thank Larry Grossman for his many years of service as Council President. He said the presentation of the plaque is appropriate. He knows the many hours of work contributed by the former Council President. He congratulated Larry and wished him good luck in his new law practice.

Councilman Vuola introduced Resolution #50-78:

RESOLVED that the Council of the Township of Marlboro and Clerk of this Body are hereby authorized and directed to extend for the period of one year from January 1, 1978, the existing 1977 agreement covering reimbursement for highway lighting maintained within the limits of said Township, as provided for in Paragraph 3 thereof.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #51-78:

WHEREAS, application has been duly made for a transfer from person to person on the Plenary Consumption License No. C-6;

NOW, THEREFORE, BE IT RESOLVED, that Plenary Consumption License No. C-6 is hereby transferred from Taras Ulashkevich to Anna Ulashkevich.

WHEREAS, the applicant has met all of the requirements for the above mentioned transfer;

NOW, THEREFORE, BE IT RESOLVED that Anna Ulashkevich be issued Plenary Consumption License No. C-6.

The Resolution was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #55-78:

WHEREAS, JoAnne Barbolini has honorably served in the Ladies' Auxiliary of the Morganville Volunteer Fire Department for a period of seven years; and

WHEREAS, she is duly entitled to all benefits and exemptions granted under the laws of the State of New Jersey;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that JoAnne Barbolini is hereby declared an exempt member of the Ladies' Auxiliary of the Morganville Volunteer Fire Department in the Township of Marlboro.

The Resolution was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman Grossman introduced Resolution #56-78:

WHEREAS, application has been duly made for a transfer from person to person on the Plenary retail consumption License No. C-2;

NOW, THEREFORE, BE IT RESOLVED, that Plenary Retail Consumption License No. C-2 is hereby transferred from Katherine Irene McCormick to LuElen Enterprises, Inc.

WHEREAS, the applicant has met all of the requirements for the above mentioned transfer;

NOW, THEREFORE, BE IT RESOLVED that LuElen Enterprises, Inc. be issued Plenary Retail Consumption License No. C-2.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Councilman Vuola introduced Resolution #57-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law:

Sports Equipment and Supplies

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #58-78:

WHEREAS, the Township of Marlboro, County of Monmouth, has been designated as an "entitlement" city under the Housing and Community Development Act of 1977; and

WHEREAS, the Local Finance Board has promulgated that the dedicated revenues anticipated from the Housing and Community Development Act of 1977 and appropriated for the purpose to which the revenue is dedicated will become a part of the budget of the Township of Marlboro, County of Monmouth, as a dedication by rider under the provisions of N.J.S. 40A:4-39;

NOW, THEREFORE, BE IT RESOLVED that the governing body hereby requests permission of the Director, Division of Local Government Services that the revenues received from the Housing and Community Development Act of 1977 be dedicated under the provisions of N.J.S. 40A:4-39 and that a Trust Fund is hereby established for said purpose; and

BE IT FURTHER RESOLVED, that two (2) certified copies of this resolution be forwarded to the Director, Division of Local Government, Trenton, New Jersey.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #59-78:

WHEREAS, the Marlboro Township Board of Education has undertaken a feasibility study concerning the question of participation or removal from the Freehold Regional High School District;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro supports the preparation of the feasibility study referred to hereinabove.

2. That the Township Council of the Township of Marlboro requests the Marlboro Township Board of Education to forward a copy of the above-mentioned feasibility study to it on its completion.

3. That the Township Clerk is authorized and directed to forward a certified copy of this resolution to the President of the Marlboro Township Board of Education.

The Resolution was seconded by Councilman Klau and adopted on the roll call vote: Councilmen Klau and Grossman and Council President Croddick voted Aye; Councilmen McClung and Vuola voted Nay.

The following points were raised in discussion before the vote:

Councilman Klau said the need for Marlboro to remove itself from the Regional High School Board is obvious if the economics can be worked out. He said many towns in the State are making similar studies and several have already established themselves independently. Our arrangement with the Regional Board has outlived its usefulness. Council needs approval to see whether we can get out for the betterment of the children of Marlboro. He said a thousand people attended a meeting recently in Marlboro at which time the entire Council agreed that bussing children out of Marlboro was not in their best interests and they were against it. He said he wants a liaison from the public representing the Council to the School Board. This person could keep the Council informed.

Councilman Vuola said he voted against the foregoing Resolution because he does not have the background or knowledge to know how to vote on the question. He does not think the Marlboro Board of Education needs the support of Council. He agrees with Councilman Klau that Marlboro children should not be bussed to Freehold High School.

Councilman Klau said it was unfortunate that Councilman Vuola was not present at the meeting where one thousand people showed their concern about bussing their children out of town. He said he thought he spoke for all of us.

Councilman Vuola repeated that he is not in favor of bussing. But he said Councilman Klau had no authority to speak for this Council; and that he cannot speak on his behalf.

Mayor Goldzweig said he represented the Administration at that meeting. Councilmen Klau and Grossman were there. Council President Croddick came in later. The Mayor said it was a crucial meeting. The real problem is whether Marlboro should just be concerned with withdrawing from the Regional system or concerned with the break-up of the Regional system entirely. He said that Marlboro has 14% of the children in the

Regional system and wants to get out. Manalapan has 20% of the children in the system and it wants to get out. Howell has 26% of the children in the system and it wants to get out. The problem is whether we want to break up the entire system.

Councilman Grossman introduced Resolution #60-78:

WHEREAS, the Township Council of the Township of Marlboro received open, competitive bids for a Vacuum Street Sweeper during the month of October, 1977; and

WHEREAS, the Township Council of the Township of Marlboro has been unable to agree on the matter of awarding the said bid;

NOW, THEREFORE, BE IT RESOLVED that all bids received for the said Vacuum Street Sweeper are rejected and that the Township Business Administrator is hereby authorized to readvertize for open, competitive bids for such equipment.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Councilman Vuola introduced Resolution #61-78, an Emergency Temporary Resolution Prior to Adoption of the Budget, a copy of which is attached and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #53-78, a general Bill Paying, a copy of which is attached and made a part hereof. It was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

The Council President asked permission to add another Resolution to the agenda changing one word in the contract with Emanuel Milstein in order to satisfy the EDA. Council agreed this should be done and Resolution #62-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Resolution #32-78 is hereby amended to provide that Emanuel Milstein be retained in the capacity of Project Inspector and not as Project Coordinator.

The Resolution was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman Grossman asked permission to make a statement he had prepared. The Council President granted him the personal privilege to read the statement, a copy of which is attached and made a part hereof.

Public Session:

Former Council President Lawrence S. Grossman asked to speak. He said

RESOLUTION #61-78

TOWNSHIP OF MARLBORO

1978 MUNICIPAL BUDGET

EMERGENCY TEMPORARY RESOLUTION - PRIOR TO ADOPTION OF THE BUDGET

WHEREAS, as emergent condition has arisen with respect to additional Other Expenses required and no adequate provision has been made in the 1978 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 1978 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$ ~~51,200.00~~.

NOW, THEREFORE, BE IT RESOLVED (Not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20,

1. An emergency temporary appropriation be and the same is hereby made for

<i>H W Adm</i> Economic Development O/E, Industrial Development	\$	700.00
Health Benefits o/e		500.00
Road Repairs & Maintenance O/E		<u>15,000.00</u>
TOTAL:	\$	16,200.00

2. That said emergency temporary appropriation will be provided for in the 1978 budget under the title of:

Economic Development o/e, Industrial Development
Health Benefits
Road Repairs & Maintenance o/e

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

OFFERED BY: VUOLA

AYES: 5

SECONDED BY GROSSMAN

NAYS: 0

Marjorie E. Currey
Marjorie Currey, Acting Township Clerk

John F. Croddick
John F. Croddick, Council President

The above Resolution was adopted February 23, 1978

he finds it interesting to be here because it is almost as though he had never left. He found the battles of Councilmen interesting when he was a minority member with four Republicans. He still finds them so. He thinks the public should monitor the meetings to see what is going on. He recommends spending more time listening to the other man speak, rather than trying to make a report to the press. The divisions between people are often very slight.

Mrs. Graziano asked that the opinions and feelings of all interested parties be taken into consideration before any decision is made about bussing Marlboro children to Free High School.

The Council President assured her that all interested parties would be invited to a meeting on the subject.

Michael Troy said he agrees with the thoughts expressed in Councilman Grossman's statement. He urged people to attend the MUA and WMUA meetings. He believes that people must participate in order to have the right to criticize. He also recommends attending caucus sessions.

Councilman Klau asked to speak as a member of the public. He said he has received many complaints by phone and in person about the recent WMUA bills because they are extremely high. Most people are completely outraged at the increase and they wonder what Council is going to do about it. He stated that he would discuss this subject at the next caucus meeting and he urged people to attend the first Council meeting in March to speak their minds.

Councilman Grossman said that if every Councilman would prepare one statement every two months, business would progress very well. The Council President said he would be glad to give any Councilman the opportunity to speak.

On motion by Councilman McClung, second by Councilman Klau, and affirmative vote of all members, the meeting was adjourned at 9:15 P.M.

Minutes Approved: August 10, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be It Resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
Mary Denton	Petty Cash	43.92	16947
P.E.R.S.	Ins. Fund	3,025.33	17020
P.E.R.S.	Contribution Ins.Prem.	462.76	17021
Public Assistance	Public Assistance	693.15	534-539
Twsp. of Marlboro Gen. a/c	Dog License a/c	47.50	1530
N.J. State Dept. of Health	" " "	90.00	1531
	TOTAL:	4,362.66	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#</u>
N.J. Division of Pensions	Employees Payroll Deduct.	228.71	
Asbury Park Press, Inc.	Administration	217.17	
A.P. Marlboro	" "	52.15	
Automation Papers Co. Inc.	" "	73.66	
The Bayshore Independent	" "	9.95	
Central Mall Stationers	" "	11.50	
IBM Corp.	" "	249.20	
Paul-Mark Printing	" "	102.95	
West Publishing Co.	" "	50.00	
Monmouth County Assessors Assoc.	Tax Assessor	70.00	
Business Furniture, Inc.	Tax Collector 1977	87.50	
Mon. & Ocean County Tax Collect. & Treasurers	Finance	25.00	
Lutz Appellate Printers Inc.	Legal	75.76	
Jacob Emmanuel, Inc.	Insurance	9,441.57	
Central Jersey Leader	Health & Welfare 1977	39.20	
Miller Uniforms Inc.	Fire Marshal	108.00	
Camera Showplace	Police	6.99	
Concord Press	Police	123.43	
Div. of State Police	Police	50.00	
Sgt. G. Lang	Police	43.15	
N.J. State Police Training	Police	25.00	
Red, the Tailor Inc.	Police 1977	115.65	
Desiree Schanck	Police	10.00	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#.</u>
Scrub -A- Dub of Cambridge	Police	42.00	
J. Police Traffic Officers Assoc.	Highway Safety	15.00	
State Dept.of Community Affairs	Inspections	20.00	
Edward Savoie, Const. Official	Inspections	10.75	
Amboy Generator Service Inc.	Equip. Maint.	282.81	
Bayshore Bandag Tire	Equip. Maint. 1977- 20.00		
	" " " 1978 <u>-164.60</u>	184.60	
Franklin's Garage	" "	170.30	
General GMC Sales Inc.	" "	43.20	
A.S. Gilbert Inc.	" "	627.82	
Irwin Lincoln Mercury	" "	61.00	
Lynn Equipment Co. Inc.	" "	1,256.30	
ower Crimp Industries	" "	54.40	
Sprague's Oil Service Inc.	" "	5,369.02	
Matty's Auto Parts Inc.	Grds. Maint 1977 - 46.02		
	Eq. Maint 1977 - 33.52		
	Eq. Maint 1978 - <u>1,377.57</u>	1,457.11	
J.C.P.L.CO.	St. Lighting 1978 - 539.29		
	Utilities 1978 - <u>55.36</u>	594.65	
N.J. Bell Telephone Co.	Utilities	37.22	
W.M.U.A.	Utilities	128.20	
	TOTAL:	21,570.92	
Schoor Engineering Inc.	Community Development Block Grant Project	290.23	
	TOTAL:	290.23	

OFFERED BY: *Kline*

AYES: *5*

SECONDED BY: *Nicola*

NAYS: *0*

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

2/17/78
Date

Sheila Fisher
Treasurer

MUNICIPAL OFFICE:
P.O. BOX 55
MARLBORO, N. J. 07746

RESIDENCE:
24 GUEST DRIVE
MORGANVILLE, N. J. 07751

TOWNSHIP OF MARLBORO

HYMAN C. GROSSMAN
COUNCILMAN

Statement of Councilman Hyman C. Grossman February 23, 1978

As the only new member of Council elected in the last election, I have been rather patiently observing the internal political crossfire that has impacted the Council's activities since January 1.

Since we are all elected on a town-wide basis, it would seem obvious that our duty is first and foremost to attend to the problems and issues, with which the public at large is interested. Marlboro has about 7,000 registered voters and probably fewer than 10% of that figure in the aggregate are members of any organized political association. Since the internal political problems of the Marlboro Democratic Party impact so few people, they have no place at the Council table. These issues should be fought out where they belong - in the Primary and General Elections. And because they have been brought into the proceedings of this Council over the past eight weeks, the legitimate work of the Council and the Clerk's Office has been frustrated, delayed and set aside. I take this opportunity to urge the public at-large - that silent majority, if you please, to start attending Council sessions, to start asking the hard questions and start demanding answers and solutions rather than continuing to have government by delay, inaction, frustration and cancelled meetings.

Let me illustrate with a few examples. On January 2, a Council majority appointed a new person in the Clerk and Auditor positions and unanimously consented to the Mayor's choice of Finance Director. There immediately ensued partisan attacks against the new Council President which have continued unabated. The Clerk has received little, if any help from the administrative office. Indeed, the Business Administrator is quoted in the press as stating that she cannot furnish any additional help here due to the political situation. In other words, the public be damned, politics comes first.

MUNICIPAL OFFICE:
P.O. BOX 55
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TOWNSHIP OF MARLBORO

HYMAN C. GROSSMAN
COUNCILMAN

-2-

John Kennedy, a regular Democrat, if there ever was one, once said "Sometimes the Party asks too much." They really got after the Council President on January 26 when he supported the appointment of a qualified but registered Republican to the Marlboro Municipal Utilities Authority. The reaction was as if the appointment was unamerican. Can you imagine how the township will be served if only one party retained a lifetime lease on all aspects of government? And do you know whom he replaced? - none other than one of the architects of one of the worst financial fiascos in the history of this part of the State - otherwise known as the Western Monmouth Utilities Authority.

The budget introduction this year has been delayed by a month and the administration will tell you it's due to the Council's change in Auditors. Well, on January 26 we all had the notice of the timing of the public hearing requirements for Federal Revenue Sharing which must precede our own budget introduction. It was not until Friday, February 10, when I was spending some of my own time in the municipal building that I learned that timely advertisement had still not been made for the hearing. I suggested immediate advertising and that's the major reason for delay here.

Last night the Recreation Division reported that it had no inventory report, and had no adequate storage space and had other deficiencies. I asked how long this had been going on - the reply from the Business Administrator was "forever". The new Council certainly cannot be blamed for this situation.

On January 30, I sent two letters to the Mayor - not released to the press - asking for budget information and pointing out that I was ready to put the political circus behind us and hoping that the public's business can begin to take top priority. I said that I believed that our system of the Mayor-Council form of government had to be recognized by both parties and I was ready to do my part.

MUNICIPAL OFFICE:
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MARLBORO, N. J. 07746

RESIDENCE:
24 GUEST DRIVE
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TOWNSHIP OF MARLBORO

HYMAN C. GROSSMAN
COUNCILMAN

-3-

On February 16 after almost an hour of discussion on budget matters and wrangling over procedure, the meeting was declared illegal for lack of adequate notice. It was the Mayor who declared the meeting illegal. Why didn't he do it right at the beginning?

Another example of developing an issue rather than a solution is the proposed access road to the municipal complex. From what has been reported this week one would think that the school building and bus depot on the same site would be the traffic generator on Wyncrest Road when in fact bus traffic now already exists on the road and little if any additional bus traffic will be generated here. It is the municipal complex itself which will be the introducer of a new traffic element in the area. I will do my share to find a solution rather than maintain an issue on this subject.

Yes, the Council and Council President are not without some fault. But from where I sit, the political slings have come from the partisans who still haven't recovered from the last election and are already running in the next election.

So we have reached the point where we are working to adopt a very difficult budget requiring several special meetings to meet deadlines. I call upon the public to begin to monitor our proceedings on a regular basis. Only in this way can we the Council be moved to place your business at the top of its agenda where it rightfully belongs.

OFFERED BY: Vuola

AYES: 2

Abstentions: 2

SECONDED BY: Klau

NAYS: 0

The above Resolution was adopted this 9th day of March, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

3/3/78
Date

Shirley L. Lippin
Treasurer

OFFERED BY: Klau

AYES: 2

Abstentions: 2

SECONDED BY: Croddick

NAYS: 0

The above Resolution was adopted this 9th day of March, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

3/3/78
Date

Stella Fipkin
Treasurer

RESOLUTION # 72-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK#.</u>
J.C.P.L.CO.	Swim Pool 1977	765.66	
N.J. Bell Tele. Co.	Swim Pool	6.86	
W.M.U.A.	" "	382.50	
Robert Keller	" " Refund	15.00	
Stanley London	" " Refund	20.00	
TOTAL :		1,190.02	

OFFERED BY: Grossman

AYES: 4

Not Present: 1

SECONDED BY: Vuola

NAYS: 0

The above Resolution was adopted this 9th day of March, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

3/3/78

Date

David L. ...

Treasurer

COUNCIL OF THE TOWNSHIP OF MARLBORO

SPECIAL MEETING - March 20, 1978

The meeting was called to order by Council President Croddick at 8:10 P.M. After the salute to the flag, he read Mayor Goldzweig's call for this meeting:

"In accordance with the provisions of N.J.S.A. 40:69-179, I, Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a special meeting of the Township Council on March 20, 1978, for the purpose of making changes in the plumbing contract for the Municipal Complex. The meeting will be held at the Marlboro Township Municipal Offices commencing at 8:00 P.M."

The roll was called indicating Councilmen Klau, Vuola and Council President Croddick present. Councilmen McClung and Grossman arrived at 8:20 and 8:30 P.M. respectively.

Also present were Mayor Goldzweig, Township Attorney Herbert B. Bierman, Business Administrator Mary T. Denton, Acting Clerk Marjorie E. Currey and Chief Fire Marshall Walter Holtz, as well as Emanuel Milstein.

Council President Croddick requested Mr. Milstein to explain the water service to the Municipal Complex.

Mr. Milstein said the Council had voted to approve a change order of almost \$5000 replacing 4" pipe with 8" pipe. This was not by actual bid but by the contractor on the job. We now have 4" pipe and you want 8", and Council must make a decision so the contractor will not pull off the job.

The Contractor's bid for this work was much higher: almost \$33,000. M & R did agree to take the work on a time and materials basis. Or another contractor could come in to do the work. Mr. Milstein said we jumped the gun by not having an actual estimate from the mechanical contractor.

Walter Holtz suggested that we do the rest of the work and put this in later, since the 4" pipe is on the job. He wondered how a change order came to Council without the approval of the architect.

Councilman Vuola conferred with Mr. Holtz and the latter stated that we ought to use 8" pipe because 4" is not in accordance with the fire code. The Councilman said we must find a solution which will permit us to use the 8" pipe.

The Council President said that the front of the building would be protected because there is a hydrant in the street. He knows that Mr. Holtz understands that we do not have \$32,000. He suggested that we use the 4" pipe now and put the 8" in later and make the Board of Education pay for part of it.

The Business Administrator said we ought to make some adjustment with the contractor even though he has bought the pipe.

Council President Croddick said that M & R wants \$34,914 for this job but will take off \$2500. He said that Milstein talked them out of a little money. When the mechanical engineer came in, he was not considering the meter pit which was an extra \$1500.

Attorney Bierman asked whether the meter pit was required. Mr. Milstein said it was on the specifications before he took over.

Councilman Vuola said that the MUA engineer wants the 8" pipe. He said he does not understand the \$32,000 on this line. It should never cost over \$15 per foot. Mr. Milstein agreed that the figure is high.

Mr. Bierman asked whether it includes the cost of the meter pit and Milstein said it does. He added that we must get water from the street to the hydrant to the building. The pit is not necessary for 4" pipeline but only for an 8" line.

The Council President said we might rebid the 8" line at the end of the job. (There was discussion between him and Mr. Bierman which was inaudible to the Clerk.)

Mr. Milstein said the meter pit is for connectors.

Mr. Holtz then asked Council to hold the matter over and then go to 8" woodite pipe. He said the plumbing contractor could drop out and we could find a substitute. Mr. Milstein said we are figuring woodite pipes.

Councilman Vuola thinks we are being ripped off and inquires with whom Mr. Milstein has been discussing the problem. Mr. Milstein said he has talked with Mr. Molina, our mechanical contractor's engineer on the job. Mr. Molina has given him the figures in a four-page letter documenting where the site is. He does not have the letter with him.

Mayor Goldzweig quoted from Molina's letter and suggested that the matter be held in abeyance until we can get all the principals together to work things out; or drop the matter until we can rebid.

The Council President said the contractor will have to bring in water and sewer so it does not matter exactly where the lines are going, He said the water and sewer are two separate services.

Councilman Vuola made a motion to hold the matter over until the next meeting or until we get specifics from our engineer, the MUA engineer and from Walter Holtz, who are instructed to solve the problem for less than \$32,000. He said we must listen to Mr. Holtz or we might subject people to a disaster.

Council President Croddick said one problem we face is that the mechanical contractor will take his people off the job. He has work and wants to go elsewhere. He offered the suggestion that we might omit the water pipe business until we tap into the main, and we might save considerable money.

There was further discussion, after which Mr. Holtz asked whether we have any recourse against the architect who designed a system that is not legal. He thinks we ought to have.

Councilman Klau asked whether we have any recourse against our architect. The question was not answered.

Councilman Vuola restated his motion to hold the matter over until the next caucus meeting. The motion was seconded by Councilman McClung and passed unanimously on the roll call vote.

The meeting was adjourned at 8:34 P.M.

Minutes Approved: September 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

MARCH 23, 1978

Council President Croddick called the meeting to order at 8:00 P.M. After the salute to the flag, the Clerk called the roll. All Council members were present. Also present were Deputy Mayor James Newman, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T. Denton and Acting Clerk Marjorie E. Currey.

The Council President read the following Announcement of Meeting:

"Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and the Daily Register on February 9, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Clerk."

Three bids were received for the Swim Club Concession and turned over to the Business Administrator for tabulation.

Councilman Grossman distributed a copy of a letter he had just written to Congressman James J. Howard asking for Federal funds for road repairs. The copy is attached and made a part hereof.

The Council President announced that he and the Business Administrator had spent the afternoon in the office of Judge Lane. They got both good and bad news. The good news is that our suit to knock out the veto provision of the WMUA service contract has been successful. And we have a meeting with the Environmental Protection Agency in New York on April 10th for the purpose of trying to keep the Federal grant to the WMUA to enable us to build the Morganville Collector System. The bad news is that sixty days from today we must have on the books a new zoning ordinance to comply with the Mount Laurel decision. The Council President concluded by stating that we will have to set up a number of meetings and work quickly in order to comply with this court order.

John Batton of 21 Harrington Terrace, Morganville, was the only person who signed for the Citizen's Voice. He asked about the status of the Morganville sewer system and the park at Lloyd and Nolan Roads. He thanked the Road Department for dealing with the problem of frozen water in his area. They worked hard to deal with the accumulation of ice. He thinks a catch basin would alleviate the problem. The Business Administrator interrupted to say this problem will be on the list of items to be taken care of by our Bond Ordinance.

Mr. Batton said his neighbors have heard rumors that his street will be extended toward Route 79. He asked if this were true. Councilman Klau, Council's representative to the Planning Board, said he knew nothing about this. Ivan Portnoy, Planning Board Chairman, said nothing of this nature was before the Board.

As to the status of the Park, Council President Croddick said we have a good chance to get Green Acres funds for this through Management Consultants (note: he referred to Management Implementation Associates).

He said we will build this park even if we do not receive Federal funds, although it would be best to use Federal funds. Mr. Batton asked about a time table. The Council President said we will continue to push for such funds. If we receive nothing by June, we probably will not get anything.

At 8:10 P.M. Council President announced that Council would take a five minute recess to discuss the water main problem at the Municipal Complex with a contractor who had arrived from M & R Mechanical Contractors.

The Council and those at the Council table, together with Pieter Van Aartrijk and Emanuel Milstein and MUA representatives adjourned to the Judge's Chambers for this meeting. The many-sided discussion lasted for 35 minutes, and no definite conclusion was reached. It was determined that Mr. Milstein would have to sit down with Gary Urn of the Municipal Complex. He is to come up with a final figure representing the cheapest way for this problem to be solved.

At 8:45 P.M. Council returned to the Council Chamber and the Council President called for the Administrative Report. By this time Mayor Goldzweig had arrived with his brother whom he introduced to Council and audience.

He congratulated Mr. Bierman on a job well done. He announced another piece of good news: receipt of a letter from Congressman Howard stating that the residents of Marlboro Village are to have city delivery of mail for the first time. He thanked those who petitioned for it and the Congressman for his help in obtaining it for this section of town.

The Mayor concluded his report by asking Council to remove Resolution #81-78 from the Agenda. This is the resolution asking Larry Grossman to resign as a commissioner and also asking the Mayor himself to consider resigning. The Mayor said there is no inconsistency in his holding two positions. State law requires him to be a member of the Planning Board because the legislature thought that the Mayor could best serve that agency.

Councilman Vuola introduced Resolution #77-78 (Ordinance #3-78) (Towing)

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

AN ORDINANCE LICENSING, REGULATING AND FIXING
THE RATES FOR WRECKERS IN THE TOWNSHIP OF
MARLBORO

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

3/23/78

-3-

It was seconded by Councilman McClung. The Public Hearing opened with Mr. Franklin of Franklin's Garage on Buckley Road expressing his opposition to the ordinance. He thinks the fees are too high. He objects to the township spending the money to print this ordinance. Councilman Klau explained that the law requires publication of all ordinances before final action by Council.

Sidney Leveson wants a cost of living built into the rates automatically rather than having the rates raised periodically.

Myrna Kleinman asked about cases where the driver of a car which requires towing belongs to the AAA. Mr. Bierman replied that this ordinance has nothing to do with the AAA.

The resolution and ordinance were adopted unanimously on the roll call vote.

At 9:14 P.M. the meeting was turned over to Deputy Mayor Newman who read two proclamations. The first was from the American Cancer Society announcing that April is Cancer Month and appealing for contributions. The Society needs door to door solicitors. Mrs. Ellen R. of 46 Stockton Drive will head the drive in Marlboro where April will be Cancer Control Month.

The second proclamation announced that on April 15th Special Olympics would be held throughout the State. This is to be a program of competitive sports. Our Marlboro Committee is looking for volunteers. Stanley Bauman will take the names of any who wish to help.

Councilman Klau introduced Resolution #78-78 (Ordinance #4-78)
(Amendment to Land Use Ordinance):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE TOWNSHIP OF MARLBORO ESTABLISHING A PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291 OF THE LAWS OF NEW JERSEY, 1975; PROVIDING FOR THE POWERS OF SAID BOARD; FIXING THE PROCEDURES GOVERNING APPLICATIONS TO SAID BOARDS AND APPEALS THEREFROM."

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman Grossman. The Public Hearing followed. Ivan Portnoy, Chairman of the Planning Board, said that he does not want a three man majority of Council to be able to overturn, by means of this ordinance, the work of the professionals on a nine-member Planning Board. He said that our Municipal Land Use law follows the State law on the subject. He thinks this amending ordinance will leave the township open to many lawsuits.

Saul Hornik said he is in favor of this ordinance. He does not want land use controlled by appointed officials.

Michael Troy asked how one got to be a member of the Planning Board. He is aware that Council has one representative on the Board and that the Mayor is, by statute, a member and that he appoints seven members. He commends Council for bringing before it this ordinance.

Mr. Bierman explained the four classes of Planning Board membership established by law.

David Zolkin, Planning Board attorney, said there might be flaws in the ordinance because there are flaws in the Statute itself. He said he can appreciate the points of view of the two previous speakers, but if citizens went to court they would still have to provide a printed record and the cost could be very high. They may save about \$60.00 by going before Council (to appeal a Planning Board decision), but they have to provide the transcript (of the relevant Planning Board hearing) and this may cost a lot. The interested party must provide a transcript, unless Council will do it, which could be achieved by separate ordinance.

Within the Statute (note: presumably the State Law) there is provided service whereby Board decisions can be stayed. Council only has to do a review within 45 days of receipt of the transcript. A pocket veto might result and there would be no way Council could act on that appeal. The only extension of time is after Council has received a transcript. With the filing of an appeal there is an automatic stay. As soon as a person finishes with Council, he can go to court. He asked what type of review can be provided by Council.

The only way to fight a stay is for the Planning Board to declare it a danger to life and property. This could bottle up a site plan or a development forever. We have to know what type of appeal the ordinance is designed to seek.

Township Attorney Bierman said that Attorney Zolkin is right. He said Council could adopt certain procedures; could work out a series of rules including time periods, taking account of problems. He gave an example: three or four months of hearings before the Planning Board could take up many pages of record. He stated that rules of procedure in court are definite. Council might attempt to work out rules along those lines. Such rules need not be incorporated in the ordinance. He said the parameters of an appeal could not be controlled by the Planning Board. Council must decide the appeal from the record presented to it.

Attorney Zolkin asked what type of review is contemplated by this ordinance.

Attorney Bierman said Council is limited by the general (Zoning) law. Beyond that, they have broad discretion. He suggested tabling the ordinance rather than a long period of limbo. The procedures would not go into the ordinance. He suggested that the ordinance not be passed until Council has Mr. Bierman's rules and time periods.

The Planning Board Chairman said council could pass it tonight and forget about the procedures.

Sidney Leveson declared the ordinance a very timely one.

Councilman Klau said that the ordinance is a wise one, but has been a year in preparation. Council used to have a review of every application before the Zoning and Planning Boards. When the State revised its Land Use Act, Council lost its privilege of reviewing the decisions of these boards. Councilman Klau said he was definitely against the new State law. He believes Council should have the right of review. There are seven Planning Board members appointed by the Mayor. Their philosophy may very well be the same as the Mayor's. It is important that citizens have some protection from this appointed (not elected) body. Any procedural additions can be drawn up by the next meeting and passed as a resolution. The Council President has suggested that the attorney prepare rules by the time of the next meeting. This comes at an opportune time considering Judge Lane's decision on our zoning. Who knows what will be coming in after sixty days.

James Newman spoke of his difference in philosophy. He was now representing the Mayor, as the Mayor had left the meeting in order to spend the evening with his brother. He said that as the Mayor was elected by the people, he would surely appoint to the Planning Board people representing the best interests of the township. He (Newman) thinks the ordinance being considered subverts the provisions of the Land Use ordinance. He said the Planning Board should not be subjected to political pressures. He recommends against this ordinance. He wants Council to leave the Planning Board to determine what should be passed because they have the expertise. If this ordinance is passed, you may as well abolish Planning Board and let applicants come to Council the first time around.

Councilman Grossman said he thought he had been informed by Mr. Bierman that this procedure (right of appeal to Council) was already in effect for the Zoning Board. So this ordinance is not something brand new.

Councilman Vuola said that having been on Planning Board for two years he never believed that this ordinance was necessary. People can always go to court and need not go before Council. He said Mr. Klau would be for the ordinance because he would never have to vote on an appeal. He would find himself in a biased position as a member of both Council and Planning Board. Councilman Vuola asked Attorney Bierman for a legal opinion as to whether Councilman Klau could sit on Council after he had voted on the Planning Board.

Mr. Bierman said he will have an opinion on this at the next meeting.

The Council President declared the public hearing over and called for the vote on this ordinance. It was adopted by the following vote on roll call: Councilmen Grossman, Klau and Council President Croddick voted Aye; Councilmen Mc Clung and Vuola, Nay.

Councilman Grossman introduced Resolution #79-78 (Ord. #5-78)
(Interlocal Services Agreement):

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

AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED May 29, 1975.

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman McClung. Council President Croddick complimented Councilman Vuola for his work as our representative to the Community Development Program and asked him to explain the service rendered by the County.

Councilman Vuola said that this is the fourth year we have applied for these funds. We have received \$75,000 to rehabilitate homes in the Morganville area and \$75,000 to build a Community Center. The municipalities receive the 3rd year money in the fourth year of the program.

Mr. Hornik asked whether this program might supply money for the Morganville sewer project. Councilman Vuola said this was not possible because sewerage is not allowed under this program. However, water lines are allowed for low and middle income housing. He also explained that hook-up fees can be supplied by this program for people of certain income brackets. HUD applies the money for specific low-income areas. Free hook-ups possible for low-income people.

There were further questions by Mr Hornik which Councilman Vuola answered. The ordinance was adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #80-78 (Ordinance #6-78)
(Traffic on High School Driveway):

Be it resolved by the Township Council of the Township of Marlboro that an Ordinance entitled:

AN ORDINANCE CREATING CERTAIN TRAFFIC REGULATIONS AT THE MARLBORO HIGH SCHOOL DRIVEWAY WITH ITS INTERSECTION OF ROUTE 79

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman Vuola and adopted unanimously on the roll call vote, with no discussion by any member of the public.

Councilman Grossman introduced Resolution #81-78 on the subject of the WMUA:

BE IT resolved by the Township Council of the Township of Marlboro, that

WHEREAS, The Western Monmouth Utilities Authority was formed in 1972 by the Townships of Marlboro and Manalapan for the purpose of taking the responsibility for the development of a public comprehensive regional wastewater system in said Township as well as the Borough of Englishtown and a portion of the Township of Freehold, collectively forming the Service Area, and

WHEREAS, since becoming operational in 1974 with the acquisitions of the former Pine Brook and Central Jersey Sewer Companies, said Authority has experienced severe financial difficulties, resulting in among things, a series of oppressive increases in the annual domestic sewerage rate, and is also presently involved in litigation with the Township of Marlboro, and

WHEREAS, such rate increases have been largely due to the mismanagement of said Authority as outlined in the Official Statement issued in connection with its recent issuance of \$22,730,000 Sewer Revenue Bonds, Series 1978, to wit:

1. The rate schedules during the Fiscal Years ending January 31, 1976, 1977 and 1978 did not produce revenues sufficient to meet the requirements of the original 1974 Bond Resolution.
2. Due to inadequate revenues and higher than anticipated operating expenses, the 1974 Debt Service Reserve Fund could not be adequately funded.
3. For the year ended January 31, 1977, the Authority had budgeted revenues as being sufficient to meet the 1974 Bond Resolution requirements but that operations in that year actually resulted in a deficiency of over \$395,000 which in turn was covered by deficit financing and taken into revenues to balance the budget, all contrary to good and sound financial management practices.
4. Despite a 40% rate increase in 1977, a similar revenue deficiency existed for the year ended January 31, 1978 wherein a deficiency of \$503,000, equal to interest due on February 1, 1978 was covered by the refunding portion of the 1978 Bond Issue and still resulted in another rate increase of 85% to an annual rate of \$255 effective February 1, 1978, and

WHEREAS, Lawrence S. Grossman of Marlboro Township has been a Commissioner and the Treasurer of the Authority since its inception, and more recently the Chairman for the beginning of the second 5-year period of the life of the Authority, remains

the only Commissioner in continuous service covering the period of the above-mentioned instances of mismanagement, and with special consideration as to the responsibilities of Treasurer during the said time period, must bear substantial responsibility for the same,

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that said Lawrence S. Grossman resign his position as a Commissioner of the Western Monmouth Utilities Authority forthwith and that in the absence of such resignation, the Township Council reserve such further action as it might deem appropriate in this regard.

BE IT FURTHER RESOLVED, that whereas there has been instituted litigation by the Township of Marlboro against the Western Monmouth Utilities Authority and that other litigation may be instituted between such parties in the future, that the Mayor of the Township of Marlboro give serious consideration as to whether he should continue to serve simultaneously as Mayor and a Commissioner of the Authority, bearing in mind said litigation and the inherent conflict of interest in serving simultaneously on the two bodies on opposite sides of a legal proceeding.

That a certified copy of this resolution be immediately forwarded to Lawrence S. Grossman at his place of business and to the Mayor of the Township of Marlboro at his municipal office and to the Clerk of the Township of Manalapan at his municipal office.

Seconded by Councilman Klau. Councilman Grossman said he would like to discuss his notes taken while the Mayor was speaking. He wanted to talk about whether the Mayor should serve on two public bodies. He stated that he asked this same question about a WMUA commissioner at a meeting a year ago and was brushed off with the remark. "Why don't you attend WMUA meetings"? He said this resolution is directed at Larry Grossman, the only commissioner who still sits on the WMUA who was there when it was not the mess it now is. The Mayor is a new member of the Authority. Councilman Grossman said that this resolution does not ask the Mayor to resign because of inefficiency. Council is asking Larry Grossman to resign. As to lust for power, which Councilman Vuola referred to earlier in the meeting when discussing Ordinance #4-78, Councilman Grossman reaffirms his letter of January 30th to the Mayor with copies to Council calling for an end to the political circus. He asks Mayor and Council to reread it. He is not prepared to go any further than to hope that Larry Grossman pays attention to this resolution. He recollected that the previous Mayor resigned in late 1976, a month before his WMUA term expired. Two Manalapan commissioners are no longer there. The only person still a commissioner and who cannot escape the responsibility for what the WMUA has done is Larry Grossman. As to a clean bill of health, is absence of indictment a clean bill of health? He would like to see a report of State and Federal investigators. What did they say to the WMUA? We do not know what they said.

With regard to conflict of interest, Councilman Grossman asked the public to think about the Mayor sitting on the WMUA when he discusses litigation with the Council, which is in a court of law against the WMUA. That is the point of the second part of the resolution. Last July at an Authority meeting, the WMUA auditor recommended a rate increase. It was not passed because it was an election year and several members were running for office. He stated that you cannot be more concerned about public office than about doing what is right!

Councilman Klau said that during the past month he has talked with many local people. No one issue so preoccupies them as the large increase in the sewer rates. The question most often asked is what can we do about it. Some say investigate; others say get rid of the commissioners; still others say they are not paying their bills. The only answer Councilman Klau said he has for these people is that we have reached this terrible situation because of the financial mismanagement of the commissioners over a period of five years.

Councilman Klau recalled the time last July when Councilman Grossman attended a WMUA meeting and told the commissioners the Authority would be bankrupt if they continued along this path. Larry Grossman said that the Authority was not in any financial difficulty; it had simply misjudged the number of hookups. He deceived the people about the fact that the Authority was on the verge of bankruptcy. It was the bond counsel that demanded the rate increase before they would attempt to sell the bonds. Larry Grossman misled the public and the Council. It all goes back to the first bond issue in 1974 when he was Treasurer. These bonds paid the highest possible interest rate and a lot of people got rich. The Authority also paid very high engineering fees. The Authority was criticized by the "think tanks." The Commissioners blamed the professionals saying that they (the Commissioners) were only part-timers. Mr. Lawrence Grossman is a professional in his own right. He is a Wharton graduate and an attorney and he knows what high legal fees are. He knows financing. He knows about solvency and bankruptcy. He did this and continued to mismanage the finances of the authority. In order to ward off bankruptcy they borrowed to meet current operating expenses. Larry Grossman knew this was improper. There has been almost six years of continual financial mismanagement. Because of this record, I, as a representative of the people of Marlboro, support this resolution. Councilman Klau said that if Larry Grossman does not resign, he will go further. He is sorry the Mayor is not here. The Mayor did not say that he and Larry Grossman led the procedures against former Mayor Salkind. This resolution is for the good of Marlboro. If the Authority goes bad the township has to pay the bond interest. The Mayor also forgot to state, when he said Council approved Larry Grossman's reappointment, that Howard Klau did not support that reappointment because the man was guilty of mismanagement.

The Mayor said it was good to have elected officials serve on boards and agencies. Councilman Klau described a conflict of interest which occurred last year on the MUA. One of the commissioners on that Authority did not want to pay back to the township the \$25,000 loaned them. The Authority asked Council to forgive the loan. Councilmen who were also MUA commissioners forgave the debt. You cannot serve two masters. When conflict arises, what position do you take? You cannot be the master of two houses. Councilman Klau then quoted Arnold Bellush of Manalapan, Chairman of the WMUA, who said it is a conflict of interest for any elected official of a township to serve on a sewer or water authority. Councilman Klau said he would never vote to appoint any member of Council to serve on an Authority. This resolution has been a long time coming. We should have added this to the one asking for Salkind's resignation.

Councilman Vuola asked for recognition to speak. He said the Mayor could give affirmative answers to Mr. Klau's questions if he were here. He disagrees with Councilmen Grossman and Klau on this resolution. He said they just want to make a new appointment when Larry Grossman resigns. He asked where the conflict lies, in Council or in Hyman Grossman's New York office. Why should Larry Grossman be removed just because he has been on the Commission for five years. We are creating a convenient double standard. Perhaps that (new) appointment would be beneficial to a number of people at the Council table. Referring to Councilman Klau's remarks, he said the bond rating was excellent. No one from New York said that the bonds could not be purchased or sold because the Authority was on the verge of bankruptcy. That did not happen. The bonds were sold easily. He asked how it is that Councilman Grossman, that great capitalist, did not bring this up at the time. Now, after everything has been cleared, he brings it up. The Authority has been cleared. Its books were held for a year, during which the Attorney General and the State investigated. There is nothing wrong at this point. You don't censure a person when he has a clean bill of health. This resolution is just politics. It is the political process. They are creating just the kind of atmosphere they created six months ago. You will hear the double standard tonight and again and again. They want to create confusion. They are looking toward another election in June. Mr. Klau wants you to believe the Authority is different from the Township and the Council. He said each bond issue affects each and every one of us. Bonds are sold so all will benefit. When they do their job, there is no problem. When they don't do their job, the problem comes back here. Councilman Vuola said the political circus angers him. Some Councilmen can't wait to get their names in the papers. He got a phone call one night at 2 A.M. asking for his quote. This was not necessary. There is no reason that we Councilmen cannot do the job for this town right now. It is time to stop the political games.

Councilman McClung said it is very distressing to get into this kind of situation. He said the lust for power (apparently of Councilmen Grossman and Klau) may be because you were never appointed to any Authority. He finds this a very interesting predicament tonight. He asked what is in it for Councilman Klau who says he is interested in the welfare of the people. What would he like the people to do? What are the customers of the WMUA supposed to do? Not flush the toilets? To make any comparison with the Port Authority is bad to begin with because that is an atrocious Authority. He asked whether the local Authorities could do a good job without the benefit of Councilman Klau's knowledge. It is unfortunate that sine January 2nd it has been stated that Councilman Vuola and I have continued to create a bottleneck against any positive legislation. Since then, many investigations have been called for. Councilman McClung continued by saying that if Mr. Klau had his way he would investigate everybody in the world. He is reaching a paranoid state. His words have evidently been bottled up for 3½ years. Nothing of a positive nature can develop from such a foul mind as that of Mr. Klau.

Councilman Grossman said that no personal remarks were in order. Councilman McClung said this restriction should have been made earlier in the meeting. He concluded by asking "what is in it for Mr. Klau"?

Councilman Klau answered him. He said what is in it for me is that the people get a fair shake; that someone watches their dollars; that when there is trouble in the Authority someone will be there to watch and report back to Council. He said the lack of financial knowledge on the part of some people is staggering. The sewer rates had to go up so high - to \$255 a year - or the Authority would go bankrupt. Two townships guaranty the bonds of the WMUA: Marlboro and Manalapan have to make good. He said he wants to conclude by reading a paragraph from a local paper: "the underwriters of the bond issue will have to pay 6.8% interest on the bonds instead of 5.7% which would have been available with bond insurance. As a result, the Authority will have to pay an extra one million dollars over the next 30 years, over the life of the bonds." The Councilman said that the WMUA and the sewer customers will have to pay this, because there is no insurance.

Councilman Grossman said that he wanted to set the record straight by informing everyone that he does not work for a bonding firm. His firm evaluates municipal credit. The firm knows that he is on the Council and the Councilman will not rate any Marlboro bonds.

Deputy Mayor Newman referred to the half-truths uttered by Councilman Klau. He said one such half-truth was Klau's statement that while he was on Council he would not vote for any Councilman or Mayor to serve on any Authority. Mr. Newman said that Mr. Klau did vote for the Mayor and for Larry Grossman on the WMUA. Although technically he voted to abstain, that vote is counted with the majority. He said Mr. Klau did the opposite of one statement which he made tonight. He inquired why Mr. Klau, as part of the resolution being considered, did not request the removal of Councilman Mc Clung,

Councilman Vuola and Council President Croddick. He said Mr. Klau forgets that the removal of Salkind was done because there was a charge that he had used WMUA funds for his own political campaign. He said that only Marlboro residents received a written explanation from their Mayor about the increase in WMUA rates. The residents of Manalapan were never notified. Ours is the advantage of having our Mayor on the Authority. His only interest is to do the best for the township while he is on the Authority. No person of respect would participate in litigation which would hurt this township. Mr. Newman said he does not see a conflict in Mayor Goldzweig's serving on the WMUA. What are the charges? That we had a major rate increase? With regard to the criticism directed to Larry Grossman, if the commissioners had acted differently, the rates would have been raised three years ago. The man was re-appointed a year ago. The reason for the high sewer rates is that the plant is working at only 40% of capacity. It had to be built large to meet EDA requirements. The number of personnel is fixed by the State. The Commissioners receive \$4,000 a year for their work. The Treasurer in an Authority is not a big account. All the work is given to the auditor who is the chief financial man. The Chairman is the most important person. The Treasurer puts very little burden on him. There are many reasons for the rate increase. There was some deficit financing. This deficit is being paid over forty years. It was not good financial planning; but the deficit is less than it might be. Mr. Newman said he served on the WMUA for one month, January, 1977. He sat through the preparation of the budget. That budget showed a deficit at the end of the year. Was the town to verify every figure in the budget? The deficit occurred because of a shortfall in the estimate of the number of new hookups. There is a very good chance that this year the number of hookups will exceed the projection. It is very possible that we will have a rate decrease. Nothing we can do now to force rate reduction. Twenty years from now the plant will run at greater capacity. We are not throwing pollutants in the water and where our own system will benefit. Accusations against Larry Grossman . . . Mr. Newman said when he was a Commissioner in January, 1977, there were headlines that the Authority was in financial trouble. Nobody denied that. The Mayor said there was serious financial trouble. Nothing in the actions of Larry Grossman that would justify any charges against him. It is ridiculous to say that the Mayor is in conflict.

The Council President observed that it is interesting that three members of Council are on the MUA. He said he would be glad to resign if the two others would resign also.

Councilman Grossman commented on Mr. Newman's statement that Treasurer of the WMUA is only a nominal title; that the real work is done by the Auditor. He said that the Auditor recommended higher rates much earlier than last February, but these rates were rejected by the Commissioners. There is no question that had higher rates been in effect earlier, no deficit financing would have had to take place, nor would the Authority have come close to bankruptcy. It would have had a better bond rating, lower interest costs and could probably have obtained bond insurance. This would have lowered the interest costs of the years you are talking about. The amount is one million dollars.

Councilman Klau apologized to Councilman Grossman for the attack made upon him and his career by another councilman who spoke earlier in the evening.

The Resolution was adopted by the following roll call vote: Councilmen Grossman, Klau and the Council President voted Aye; Councilmen Mc Clung and Vuola, Nay.

Councilman Vuola introduced Resolution #86-78 (Ord. #7-78)
Limited Parking on Bryant Drive):

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

"AN ORDINANCE CREATING CERTAIN LIMITED
PARKING ZONES ON BRYANT DRIVE IN THE
TOWNSHIP OF MARLBORO"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on April 13, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Seconded by Councilman McClung. Councilman Grossman said there was no one there this morning. Mr. Newman said that was because of the school holidays. He said there are 8 to 10 cars parked there during a normal day.

The Resolution and Ordinance were adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #87-78 (Awarding Bid Vacuum Street Sweeper):

BE IT RESOLVED by the Township Council of the Township of Marlboro that The Cumming Co., Inc. of Garwood, New Jersey, be and are determined to be the lowest responsible bidder covering the following work, labor and/or materials:

VACUUM STREET SWEEPER

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to: The Cumming Co., Inc. on their bid of \$40,432.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Council President Croddick who then asked Township Engineer, Pieter Van Aartrijk, to state his position on this piece of equipment. Mr. Van Aartrijk reaffirmed that this was the vehicle he wanted. Mr. Bierman said the bidding procedures were accurate and correct. As to the specifications, they are all right because Mr. Van Aartrijk wrote them.

Councilman Grossman said that as a matter of law, the Township Attorney is responsible for proper bid specifications. Mr. Bierman said this could be the responsibility of whomever Council designates. The office of the Business Administrator might have the primary responsibility. This Council might choose the Engineer to prepare specifications for a particular item. The Council bears the ultimate responsibility.

The Resolution was adopted unanimously on the roll call vote.

Councilman Mc Clung introduced Resolution #88-78 (Awarding Bid- T Shirt):

BE IT RESOLVED that, Eccolo Designs, Inc., of 43 Wellington Court, Brooklyn, New York 11230, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Mens and Boys T-Shirts

That the contract covering said materials in accordance with the attached specifications and bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to: Eccolo Designs, Inc., 43 Wellington Court, Brooklyn, New York 11230, on their low bids of \$22.25, \$25.75, \$28.75 and \$25.25 per dozen as per the attached schedule.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Vuola. The Business Administrator pointed out that the price of \$26.00 should be eliminated, and with that amendment the vote was taken, the resolution being adopted unanimously.

Councilman Grossman introduced Resolution #92-78:

BE IT RESOLVED that the Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following said work, labor and/or materials as required by law:

STREET PAVER

Seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #67-78 (Ordinance #8-78)
(Salary Ordinance):

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

AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS
AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1978)

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

BE IT FURTHER RESOLVED that the same be considered for final
passage on April 13th, 1978, at 8:00 P.M. at the Marlboro Township
Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey
at which time all persons interested will be given an opportunity
to be heard concerning said Ordinance.

Seconded by Councilman Grossman and adopted on the following roll
call vote: Councilmen Grossman, Klau, McClung and Council President
Croddick voted Aye (Mr. Klau's vote applying he said for the record
to the introduction only); Councilman Vuola voted Nay.

Councilman McClung introduced Resolution #89-78 (General Bill Paying),
a copy of which is attached hereto and made a part hereof. It was
seconded by Council President Croddick and adopted unanimously on the
roll call vote.

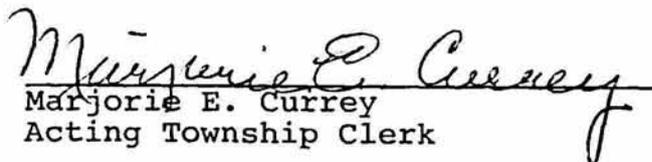
Councilman Grossman introduced Resolution #90-78 (Municipal Complex
bill-paying) a copy of which is attached hereto and made a part
hereof. It was seconded by Councilman Vuola and adopted unanimously
on the roll call vote.

Council President Croddick introduced Resolution #91-78 (Swim Club
bill-paying) a copy of which is attached hereto and made a part
hereof. Seconded by Councilman Grossman and adopted unanimously on
the roll call vote.

The following residents spoke at the Public Session: Saul Hornik,
Sidney Leveson, Charles Smith and Martin Spector. All of their
remarks alluded to the WMUA, its mismanagement, the new high sewer
rates, reasons why Larry Grossman should resign, and recommendations
that we look to the future and improve the appointments to this
Authority.

The meeting was adjourned at 11:15 P.M.

Minutes Approved: September 28, 1978


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
P.E.R.S.	Group Ins. Prem. Fund	60.03	# 1707
Herbert B. Bierman Trust A/C		929.90	1707
P.E.R.S.		3,079.45	1707
P.E.R.S.	Cont. Group Ins. Prem. Fund	460.84	1707
Wickatunk Postmaster	Administration	250.00	1707
Marlboro Twsp. Transfer for Investment		500,000.00	1707
Twsp. of Marlboro Net Payroll a/c	Payroll Exch.	37,112.46	1712
C.J.B.T.Co.	Payroll Deductions	6,808.24	1713
Public Assistance	Public Assistance	184.14	548-54
Twsp. of Marlboro Gen a/c	Federal Revenue Sharing	23,121.00	418
Twsp of Marlboro Gen a/c	Anti-Recession Fund a/c	23,733.00	102
TOTAL:		\$ 595,739.06	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CF. #</u>
West Side Ford	Reserve for Damage to Police Cars	388.07	
St. Of N.J. Pension Increase Fund	P.E.R.S, Contribution	328.05	
Morton Salkind	Refund of Prior Years Revenue (Budget Operations)	220.00	
A. & P.	Administration	62.16	
Asbury Park Press, Inc.	Administration	64.29	
Drug Fair	Administration	6.93	
Monmouth County Municipal Clerks Association	Administration	25.00	
State of N.J.	Administration 1977	150.15	
International Assoc. of Assessing Officers	Tax Assessor 1977	35.00	
STC Computer Services	Tax Assessor 1977- 220.06 Tax Assessor 1978- <u>153.10</u>	373.16	
State Shorthand Reporting Service	Planning Board	50.00	
Precision Printing Co. Inc.	Municipal Court	23.00	
Mon, Mun. Judges Assoc.	" " " "	90.00	
Raymond Jensen	Pub. Bldg. & Grds.	115.00	
Battleground Maint. Supply	" " " " - 74.10 Grds Maint - <u>33.15</u>	107.25	
The News Tribune	Economic & Industrial Dev.	127.68	
Central Jersey Leader	" " " " "	196.00	
Jacob Emmanuel, Inc.	Insurance	1,632.62	
Matawan Lumber Co.	Police 1977 - 31.40 Police 1978 302.66 Equip. Maint. 3.60 Sts. & Rds. <u>38.62</u>	376.28	

NOR	APPROPRIATION	AMOUNT	CL
Red The Tailor Inc.	Police 1977	58.50	
Central Jersey Police Film Library	Police	600.00	
Franklin's Garage	" "	1.25	
General Office Supply Inc.	" "	22.73	
V.E. Ralph & Son Inc.	" "	81.15	
Scrub - A - Dub of Cambridge	" "	63.00	
Joseph A. Mazzeo	Inspections 45.00 Sts. & Rds. <u>75.00</u>	120.00	
John Cavaliere	Inspections	12.75	
K.L.K. Trucking Co. Inc.	Sts. & Rds. 1977 - 1,704.68 Sts. & Rds. 1978 - <u>4,839.22</u>	6,543.90	
Garden State Equip. Supply	Sts. & Rds.	2,000.00	
Lyncar Corp.	" " "	1,290.12	
Motor Lodge Restaurant	" " "	110.00	
Manzo Contracting Co. Inc.	" " "	2,400.00	
Bernie Preis	" " "	575.00	
C.H. Roberson, Inc.	" " "	4.47	
Chas. Schaefer Sons Inc.	" " "	6,899.50	
Al Storer Trucking	" " "	1,000.00	
Top Hat Uniform Rental	" " "	327.50	
Bayshore Bandag	Equip. Maint.	247.21	
General GMC. Sales, Inc.	" "	31.76	
Industrial Welding Supply Inc.	Equip. Maint	25.05	
Matty's Auto Parts Inc.	" "	552.60	

<u>OR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CF</u>
Jrr Motors Inc.	Equip. Maint.	31.43	
Robbins Electric Inc.	" "	8.19	
Van Wickle Auto Supply Inc.	" "	70.75	
Colonial News Transcript	Drug Abuse	22.68	
Sprague's Oil Service Inc.	Utilities 452.31 Equip. Maint <u>4,821.59</u>	5,273.90	
N.J. Bell	Utilities	242.37	
J.C.P.L.Co.	St. Lighting 710.31 Utilities <u>970.17</u>	1,680.48	
A.S. Gilbert, Inc.	B.O. 10-77	8,477.00	
	TOTAL:	\$ 43,143.93	

OFFERED BY: McClung

AYES: 5

0

SECONDED BY: Croddick

NAYS:

The above Resolution was adopted this 23rd day of March, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

3/17/78

Date

Sheila Fishkin

Treasurer

RESOLUTION # 90-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Dan McCarron & Son	B.O. 20-77	24,604.20	
Witthoefft & Rudolph Arch.	B.O. 20-77	1,741.00	
TOTAL:		\$ 26,345.20	

OFFERED BY: Grossman

AYES: 5

SECONDED BY: Vuola

NAYS: 0

The above Resolution was adopted this 23rd day of March, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

3/17/78
Date

Sheila Fishbin
Treasurer

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Maurice Klelin	Swim Pool - Refund	20.00	
Larry Hunt	" " "	20.00	
	TOTAL:	40.00	

OFFERED BY: Croddick

AYES: 5

SECONDED BY: Grossman

NAYS: 0

The above Resolution was adopted this 23rd day of March, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

3/17/78
Date

Sheila Fiskin
Treasurer

MINUTES OF SECOND SPECIAL MEETING

MARCH 30, 1978

The meeting was called to order by Council President Croddick at 8:35 P.M. after which Deputy Mayor James Newman read the announcement thereof:

"In accordance with the provisions of N.J.S.A. 40A:69-179, I, Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a special meeting of the Township Council on Thursday, March 30, 1978, for the purpose of:

1. Voting on a change-order for water service to the new Municipal Complex;
2. Resolution re Green Acres.

This meeting will be held at the Marlboro Township Municipal Offices commencing at 8:00 P.M."

The roll call indicated that Councilmen Hyman Grossman, C. Douglas McClung, Richard Vuola and Council President John F. Croddick were present. Councilman Howard Klau was absent, because of a death in the family.

Council President Croddick distributed a letter received from Emanuel Milstein, Project Inspector, on the subject of water service to the new Municipal Complex. The letter is in the files of the Acting Clerk and is quoted in full:

Mr. John F. Croddick, President
Marlboro Township Council
Drawer D
Marlboro, New Jersey 07746

Dear John,

The March 23rd evening meeting with Michael and Richard Gill of M & R, George Rudolph, Architect, Mariano Molina, Engineer for Witthoefft and Rudolph, and myself resulted in a \$4,000.00 reduction in bid from M & R (from cost of pipe excavation) for the 8" water line and meter pit. The original net extra was \$32,909.00. The March 23rd net extra was \$28,909.00.

I met with Gary Ern of the Gordons Corner Water Co. on March 25th to review his requirements for the meter pit and expressed the Council's concern for the high cost of his initial meter pit requirements. He said that meter reading must be done at the street for both 4" and 8" water lines but that he would accept the use of a standard man hole in place of concrete pit in both cases. Mr. Ern called Michael Gill of

M & R during our meeting and gave him his requirements for the man hole along with some modifications to its contents.

Mr. Gill reworked his estimates based on Mr. Ern's information and gave me a new net extra for the 8" water line and meter reading man hole of \$23,202.00.

If we stay with a 4" line we still require a meter reading man hole which M & R has bid at a net extra of \$800.00.

Mr. Ern informed me that he is waiting for a letter from the MUA asking his company to service the Municipal complex site since it is actually within the franchise of the MUA. On receipt of the MUA letter he will send us a document listing the requirements we agreed to verbally.

In conversations with Mr. Bill Adams of Jacob Emanuel Inc., insurance agent for the township, he informed me that the insurance company would charge the township an extra \$800.00 a year premium if a 4" line was used, and would not object to the use of a 4" line if that line is sufficient for the sprinkler requirements and if the major complex, everything but the DPW barn, was within a 1030 foot radius of the existing hydrant on Wyncrest Road. Scale measurement of drawing C-1 Site Plan indicates that the above radius condition has been met (Mr. Witt-hoefft confirmed this fact in a phone conversation today).

Very truly yours,

Emanuel Milstein"

This led to a lengthy discussion among the councilmen about the safety factor of the 4" line; the undoubted superiority of the 8" line; the question of obtaining half the money for an 8" line from the Board of Education, should they build on this property; the problems presented by change-orders when Council had been led to believe that that the architect's estimates were final; the certainly of losing time on the building in the event council wanted to have any items rebid. The consensus was that we would like to have the 8" line, but we do not have the money to pay for it.

Councilman Vuola said he would love to offer a motion for approval of the 8" line and meter pit for a net extra of \$23,202.00, but could not because of our financial stringency. He urged Council to agree with him that when the Municipal Complex was completed, if there was any contingency left sufficient for the job, they would sit down with the Board of Education and divide up the cost of installing the 8" line. After some discussion, it seemed to be the sense of Council that this could be accomplished.

The Council President then called for a motion rescinding Change Order No. 1 for water service to the Municipal Complex. This had been passed by motion on February 9, 1978, and provided for changes in the plumbing contract as detailed in a letter dated January 27, 1978, from Mariano D. Molina, Engineer, to Witthoefft and Rudolph, Architects. It would have meant a net extra of \$4840.00.

On a motion made by Councilman Vuola and seconded by Councilman Grossman, Change Order No. 1 was rescinded thus bringing the plumbing back to the original specifications. All Councilmen present voted in favor.

On a motion offered by Councilman Vuola and seconded by Councilman McClung, the Council adopted Change Order No. 2 which provides for a meter pit for a net extra of \$800.00. All councilmen present voted in favor.

A further change order was brought to the council's attention by the Council President. The subject had not been raised previously, and the matter was not on the agenda. However, because of its importance Council consented to act on it.

Therefore, on motion made by Councilman Vuola and seconded by Councilman McClung, Council approved Change Order No. 3 which provides for the insulation of two walls and the ceiling of the Department of Public Works Building at an estimated cost of \$860.00. All councilmen present voted in favor, despite some consternation that insulation had not originally been provided for even though the building will be heated.

The Council President requested the Business Administrator to give some background on Resolution #93-78, the second item on the agenda for this second special meeting of the evening. Mrs. Denton said it was part of a package put together for us by Management Implementation Associates which contained various documentation for the Mayor to sign and this enabling resolution for council to adopt. The goal of the township is to obtain Green Acres funds equal to halve the cost of Hawkins Road Park.

Councilman Vuola introduced Resolution #93-78 which reads as follows:

ENABLING RESOLUTION AUTHORIZING THE FILING OF A
PROGRAM PARTICIPATION INTEREST FORM FOR GREEN
ACRES FUNDS

WHEREAS, the New Jersey Green Acres and Recreation Opportunities Act provides for the making of grants by the Commissioner of Environmental Protection to local units of government to assist them in the acquisition and development of lands for outdoor recreation/conservation purposes; and

WHEREAS, the Commissioner of Environmental Protection has solicited program participation information from the Township of Marlboro;

WHEREAS, the Commission of Environmental Protection requires that advance notice of program interest be submitted prior to March 31, 1978; and

WHEREAS, the Commissioner of Environmental Protection will prepare priority lists and funding schedules from the local responses submitted to be used in the disbursement of grant funds; and

WHEREAS, the Township of Marlboro desires to acquire and develop lands known as Hawkins Road Park.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP OF MARLBORO AS FOLLOWS:

- 1.. That application be made to the Commissioner of Environmental Protection for a grant in an amount of \$97,265.50 equal to 50% of the estimated project cost according to the following schedule as listed on the DEP Program Participation Interest Form (VGB 121).
2. That the Business Administrator is hereby authorized and directed to execute and file such interest form with the Commissioner of Environmental Protection to provide additional application information and furnish such documents as may be required and to act as the authorized correspondent of the Township of Marlboro.

Seconded by Councilman McClung and adopted by affirmative vote of four councilmen present (Councilman Klau was absent from this meeting).

The Council President asked all Councilmen to refer to the package of minimum specifications for various items to be purchased. This was prepared by the Business Administrator who said she wanted the approval of council for all the specifications before she advertised for bids. The specifications for the asphalt paver were drawn up by the Township Engineer. The list of items for which specifications were presented is as follows:

1. Asphalt Paver
2. School Busses and drivers for Recreation Programs.
3. Sports Equipment & Supplies:
 - a. trophies & Awards
 - b. Plaques
 - c. Baseball & Softball Equipment
 - d. First Aid Supplies
 - e. Printing Services for 1978

Council President Croddick asked councilmen and officials to come to the dais position in front of him to examine the sketches of two plaques to be placed in the Municipal Complex. These contained the names of mayor, deputy mayor, members of council, the Chief of Police and the Business Administrator. The spelling of names was checked. The architect's name was also included on both plaques. The Township Attorney mentioned that he would like his name to be included, since he had worked for Marlboro Township for several years. Council agreed that it would be appropriate for the name of Herbert B. Bierman to be added to the plaques and the Council President wrote it in.

The Council President said there was just one more item he wanted to bring up, since someone had asked him a question and he did not know the answer. He asked Mr. Hoch of the Recreation Division, who was in the audience, whether Elliot Yezer had resigned. Mr. Hoch's reply was "yes." Mr. Croddick asked him who had replaced him and Hoch introduced the gentleman standing next to him: Henry Sims. He also introduced Mr. Sims' assistant, Allen Ginsberg.

The motion for adjournment was offered, seconded and carried by unanimous vote at 9:40 P.M.

June 22, 1978
Minutes Approved

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - SPECIAL MEETING

MARCH 30, 1978

The meeting was convened at 8:00 P.M. by Council President Croddick. After the salute to the flag, the roll was called showing the following members present: Council President Croddick, Councilmen Grossman and Vuola. Councilman McClung arrived at 8:05 P.M. Councilman Klau was absent because of a death in the family.

Also present were Deputy Mayor James Newman, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T. Denton and Acting Clerk, Marjorie E. Currey. Auditor John J. Collins was present at the request of Council.

The Notice of Special Meeting was read by Deputy Mayor James Newman:

"In accordance with the provisions of N.J.S.A. 40A:69-117, I, Arthur Goldzweig, Mayor of the Township of Marlboro do hereby call the following special meetings of the Township Council:

1. Monday, February 27, 1978 - Caucus on Municipal Budget;
2. Thursday, March 2, 1978 - Special Council Meeting to Introduce Municipal Budget;
3. Thursday, March 30, 1978 - Public Hearing on Municipal Budget and Special Council Meeting for adoption of 1978 Municipal Budget.

All meetings will be held at the Marlboro Township Municipal Offices commencing at 8:00 P.M."

Council President Croddick then opened the Public Hearing on the Municipal Budget, which was the purpose of the meeting. The first speaker was Mr. Stephen Kurzer who said that Hawkins Road Park was not safe for children because of dogs on the loose there who are "roughing up" the youngsters. He suggested that someone in authority with direct communication with the Police Department be present at the park from 3 P.M. to sundown on weekdays. He thinks the police should be on duty in the park from 10 A.M. until sundown on weekends. He stated that if there is no money for the safety of children, we are doing something seriously wrong. He ended his speech by saying that he would take whatever legal recourse possible against Marlboro Township if his child were injured (presumably in Hawkins Road Park).

Another gentleman (whose name was not given) also spoke about the lack of safety in this park. He said his 7 year old daughter is afraid to go there because older children push the little ones around. He agrees, in substance, with Mr. Kurzer.

Since no one else wished to speak on the budget, Council President Croddick closed the hearing.

He then informed all present that he had been notified by the State that they had not had time to review our budget. Other municipalities are in the same position. He then asked for a motion to continue this meeting for the approval of the budget to another date. Township Attorney Bierman suggested that the adjournment must be to a fixed date.

Councilman Vuola then moved to continue this meeting to April 13, 1978. The motion was seconded by Councilman Grossman who wanted assurance that that meeting would be for the purpose of budget adoption and not for an extension of the public hearing. The motion was carried, all councilmen present (Grossman, McClung, Vuola & Croddick) voting "Aye."

At this point, Councilman Grossman asked for a moment to explain a page of figures he had compiled under the heading, Marlboro Township Budget Comparison, and which he had distributed to Councilmen and officials at the table. A copy of this comparison is made a part of these minutes. The increase in the tax rate is caused by no longer using deferred school taxes as a surplus item. It was deemed wise to stop this practice since these taxes are being cut entirely due to substantially increased State aid. The total increase to the tax payer is \$.09. Debt service is a large expense item.

Councilman Grossman asked Auditor John J. Collins to explain the deferral of school taxes and how much longer Marlboro might go on doing this. Mr. Collins addressed the meeting as follows:

"The deferral of school taxes results from the difference in the fiscal year of municipalities as opposed to school districts. Municipalities report their fiscal accounts on the calendar year (December 31). School districts report on the fiscal year ending June 30th. Thus there is a lag of six months between the municipal year and the school year. This results in an additional six months of school taxes levied by municipalities."

"To correct this variance many municipalities converted the school tax levy to a calendar year. When this conversion was made, only six months school taxes had to be raised by taxation. The sleigh ride resulted. The tax rate decreased sharply and then went up again the next year. To correct this situation, the Division of Local Government Services allows municipalities to "defer school taxes" so that a gradual conversion to a calendar year may be accomplished."

"Many municipalities have used the deferral of school taxes not as a device to ease the conversion to a calendar year but rather as a device to artificially create surplus and artificially decrease the tax rate. The deferral of school taxes can be fiscally dangerous, also, if school taxes are decreasing and it may be necessary in such situations to "pay back" the deferral or some portion thereof."

"With that as a background, we can review Marlboro's policy of deferral. School taxes have decreased and 1978 is the last year that a deferral of any substantial amount can be made. Under these conditions, I would recommend no further deferral, unless it is a planned conversion of school levies to a calendar year."

Council President Croddick said everyone must be aware that, since the State has not approved our municipal budget, we must do something to get money to pay certain obligations of the township. He therefore asked Councilman Vuola to introduce Resolution #94-78, an Emergency Temporary Resolution Prior to Adoption of the Budget. This Resolution, a copy of which is attached hereto and made a part hereof, totals \$114,017.00 and will carry us through to the end of April.

Councilman Vuola offered Resolution #94-78, described above. It was seconded by Councilman McClung. It was adopted, with Councilman Grossman, Councilman McClung and Councilman Vuola and Council President Croddick voting Aye.

Deputy Mayor Newman asked about money for the Special Olympics which are scheduled for April 15th. Auditor Collins said we cannot do anything about this until after the State approves our budget. The Business Administrator said the money is in the Recreation Budget (In Resolution #94-78) and if Council agrees that they are going to "make the change", Recreation can proceed. They have the money. The funds are available.

Deputy Mayor asked the Clerk to be sure the minutes show that Council is agreeable to supporting the Special Olympics of April 15th.

Councilman McClung offered a motion to adjourn. It was seconded by Councilman Vuola and carried on the following roll call vote: Councilmen Grossman, McClung, Vuola and Council President Croddick voted Aye. The time was 8:30 P.M.

June 22, 1978
Minutes Approved

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

<u>TITLE</u>		<u>AMOUNT</u>
Grounds & Building Maint.	S/W	1,520.00
Street Lighting		8,000.00
Utilities		5,000.00
Community Services		
Health Services	S/W	281.00
Drug Abuse Cont.	S/W	335.00
Dog Regulations	O/E	300.00
Recreation & Education		
Recreation & Open Space		
Director	S/W	17.00
Div. of Recreation	S/W	5,000.00
Div. of Recreation	O/E	2,000.00
C.E.T.A.		3,800.00
TOTAL :		\$ 114,017.00

2. That said emergency temporary appropriations have been provided for in the 1978 budget under the titles as above stated.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

FORM OF CERTIFICATION

I, Marjorie E. Currey, Clerk of Township of Marlboro County of Monmouth, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Council at a meeting of said Township held on March 30, 19 78 and said resolution was adopted by not less than a two-thirds vote of the members of the Township Council.

Marjorie E. Currey
Acting Township Clerk

Witness My Hand and Seal of the
Township of Council

This 30th Day of March, 1978

OFFERED BY: Vuola

AYES: 4

Not Present: 1

SECONDED BY: McClung

NAYS: 0

Marjorie E. Currey
MARJORIE E. CURREY, Acting Twsp. Clerk

JOHN F. CRODDICK, Council President

RESOLUTION # 94-78

TOWNSHIP OF MARLBORO

EMERGENCY TEMPORARY RESOLUTION - PRIOR TO ADOPTION OF THE BUDGET

N.J.S. 40A: 4-20

WHEREAS, an emergent condition has arisen with respect to the need of additional appropriations, because of the delay in adoption of the local municipal budget, and no adequate provision has been made in the 1978 temporary budget for the aforesaid purposes and N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 1978 pursuant to the provisions of N.J.S. 40A:4-20 (Chapter 96, P.L. 1951 as amended) including this resolution total \$ 167,917.00.

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20.

1. Emergency temporary appropriations be and the same are hereby made for

<u>TITLE</u>		<u>AMOUNT</u>
Administration & Executive	S/W	6,700.00
Financial Administration		
Directors Office	S/W	50.00
Treasurer's Office	S/W	1,335.00
Assessment of Taxes		
Tax Assessor	S/W	1,761.00
Collection of Taxes		
Tax Collector's Off.	S/W	1,380.00
Legal Services & Costs	S/W	2,775.00
Board of Adjustment		
Contractual Fees	S/W	650.00
Economic Development	S/W	17.00
Community & Gov't. Relations	S/W	17.00
Insurance		8,600.00
Health Benefits		4,800.00
Public Safety		
Fire Protection	S/W	234.00
Police	S/W	25,500.00
Road Repairs & Maint.	S/W	17,000.00
" " " "	O/E	10,000.00
Equipment Maintenance	S/W	1,945.00
" " " "	O/E	5,000.00

Marlboro Township Budget Comparison
(Dollars in thousands - Tax Rate per \$100)

Purpose	1978 Est.		1977 Actual		Increase or (Decrease)	
	Tax Levy	Rate	Tax Levy	Rate	Tax Levy	Rate
Municipal (Twp.)	\$1,143	\$0.73	\$ 632	\$0.42	\$511	\$0.31
Regional S.D.	1,289	0.83	1,210	0.80	79	0.03
Local S.D.	3,424	2.20	3,720	2.47	(296)	(0.27)
County	1,477	0.95	1,406	0.93	71	0.02
Total	\$7,333	\$4.71	\$6,968	\$4.62	\$365	\$0.09

Above est. as of
3/2/78; excl. fire
districts

Assessed Val. \$155,842 \$150,636

Budget Comparison	1978	1977	Increase or (Decrease)
Revenues:			
Surplus	\$ 260	\$ 640	\$(380)
Misc. Rev./Fees	1,253	992	261
Delinq. Taxes	196	215	(19)
Property Taxes	1,143	632	511
Total Revenues	\$2,852	\$2,479	\$ 373
Appropriations:			
Salaries & Wages	\$1,362	\$1,187	\$ 175
Other Expenses	799	730	69
Capital Improve.	4	50	(46)
Deferred Charges	190	132	58
Debt Service	269	152	117
Res.Uncoll.Taxes	228	228	-
Total	\$2,852	\$2,479	\$ 373

The increase in the municipal tax rate of 42 cents is due mostly to no longer using deferred school taxes as a surplus item available for appropriation. We could have used this device only one more time anyway. It was felt best to do away with school tax deferred in 1978 since school taxes were cut in 1978. The overall impact on the taxpayer in 1978 can then be held to a nominal 9¢ instead of a much higher rate next year when additional state aid to the local school district for debt service will not go higher as it did for 1978. Major spending increases for the Township are in salaries and wages (mostly Police) and debt service as we begin to amortize the bonds sold in January 1977. Other than property taxes, revenue increases are mainly in new building code and recreation fees. Major spending areas are Public Safety \$583,000; Streets and Roads \$377,000; Debt Service \$269,000 and Recreation \$137,000.

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

APRIL 13, 1978

Council President Croddick called the meeting to order at 8 P.M. After the salute to the flag, the Clerk called the roll indicating that Councilmen Grossman, Klau and Vuola and the Council President were present and that Councilman McClung was absent.

Also present were Herbert B. Bierman, Township Attorney, Mary T. Denton, Business Administrator, and Arthur Goldzweig, Mayor.

The Council President read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Daily Register on February 9, 1978; posted on the bulletin board of the municipal offices; and filed in the office of the Clerk.

Bids were received for an asphalt paver, trophies, and printing services.

Citizen's Voice

Arleen Lorenzen, R.F.D. 1, Route 520, spoke on behalf of the 15 families who live west of Route 9 and whose lives have been greatly disturbed by the sewer extension being built by the WMUA. She said they had received no prior notice about this construction. The school bus is not permitted through and the children are upset. They are the main concern. The wells in the area have been pumped dry; some phone lines have been cut; access to the road has been blocked from both ends. This may create serious problems for anyone who is ill because the First Aid Squad cannot get through.

In order to get the small children to the school van, the mothers have to walk out to Route 9 with them, dodging all the trucks and other equipment. Some of the vehicle wheels are higher than 5'3", the height of the speaker. It is a frightening and dangerous situation.

Another concern of these fifteen families is the fact that there are open woods behind them ready for development. They cannot get any information about what is planned for this piece of land although they have called everybody but the Governor.

Mayor Goldzweig gave some answers to Mrs. Lorenzen's questions as to why the situation has become so aggravated.

The sewer layout west of Route 9 was approved by the State Department of Environmental Protection and the Federal Environmental Protection Administration. Obtaining such approval is mandatory lest the mating cycle of the bog turtle be upset. Since environmentalists insist that machines do less damage in the street than in the woods, the street is where they remain. The Mayor said that Chief Walker made an inspection of the area one night recently and reported that he instructed the contractor to take certain measures for the

safety of the nearby residents. The major step is the covering of the trench with metal plates. The job will take longer than expected because electric wires and water lines are obstacles. We are at the point now where Chief Walker has been told that Route 520 West will be paved from the Baldasari's end to where construction is now. It is a bad situation because the machines must dig deep and it is a slow process. The Mayor stated that there was a police officer there during school transportation hours. One of his tasks is to see that the contractor is doing whatever is necessary for safety. Sewer service to Route 9 eliminates a treatment facility at Whittier West.

Robert Altieri, 99-A, Ryan Road. He said that the family living in the house next to his has a septic system that is overflowing. He has complained about this to the Health Officer, the Building Inspector and Councilman Vuola. The waste is actually going into his yard. The people occupying the house in question are bad news. They are welfare people. With Mr. Altieri was the gentleman who owns the house and property which they are occupying. The house has been condemned and yet the people remain there. The owner wants something done. He wants the entire property condemned. He has served them with eviction notices; threatened them; and still they do not leave. The Courts have actually locked the owner up.

Mr. Altieri knows that the problem is one of relocation of the welfare family or families who continue to move in and out of the house. The property was left to the man with him and for whom he is speaking. All this started years ago when he felt sorry for a family named Stillwell whom he permitted to live in the house rent-free. He did not want rent.

Councilman Vuola said he is familiar with the situation and everything explained to Council tonight is true. The Health Officer went to examine the house and property. The Chief of Police went there also. The County Health Officer must say the place is unhealthy and the house must be condemned. The relocation of the people now in the house is the problem. We cannot put people out until and unless we can provide a roof over their heads. Unless the County can do this, we are helpless.

Attorney Bierman inquired the specifics of the eviction action taken in Court. Under certain conditions he said it would be possible for the police to remove the people from the house physically.

David Zolkin is the attorney for the owner. Edward Savoie, Township Building Inspector, said the property is not fit for human habitation. Mr. Bierman stated that a simple, direct, eviction action seems to him to be the most effective measure that can be recommended.

Mr. Altieri said he has two children; and there are 15 kids living now in the condemned house, none of whom go to school. There is a different family living in the house every week. This fact ought to

be reported to the school authorities because it is a criminal violation of the law. Mr. Bierman said removal of these people can be accomplished with the advice of a lawyer and an eviction notice. The fact that they are welfare people does make it more difficult, since the County pays them money.

Mr. Altieri and the property owner asked whether the Mayor might do something to help. Mayor Goldzweig said he would have the Business Administrator write a letter to the Welfare Board; and he himself will send a letter in an effort to solve this seemingly insoluble problem. Mr. Altieri said he would appreciate having copies of both letters for his records. He stated that these people have ruined every house they have lived in.

Jerry Donis of 11 River Drive spoke in behalf of the Marlboro Acting Company. He has looked at the plans for the Municipal Complex, and inspected the site. He said the Company would like to use some of the facilities which will be available when the building is completed. They could rehearse and build sets in the recreation area or in the basement.

Council President Croddick said Council would be more than happy to have the acting company use the new facilities.

The next speaker was Dick Previte of 7 Kilmer Drive, who spoke about the Mayor's veto of a recently passed ordinance. He thinks the people of Marlboro would like Council to act as a Court of last resort in matters of zoning, approving (or disapproving) matters brought before the Planning Board. He reminded the audience that we cannot recall Planning Board members; and that they are usually not subject to public pressure. They can therefore take decisions lightly. But Councilmen want to continue in office; and the people demand that Council be responsive. Mr. Previte asked Mayor Goldzweig to reconsider his veto and to sign the ordinance in question (Ordinance #4-78), or at least let it become law without his signature. He urged this strongly.

Mayor Goldzweig replied that he has discussed this ordinance with Council, told them what he believes are its faults and suggested it be rewritten with some changes. Then it can be reintroduced. The time limits within which an appeal can be filed and other time limits must be clarified. If this is done, based upon the wishes of the majority of Council, he would not veto such an ordinance. He thinks that Mr. Previte may have given, in his remarks, the reason why even such a revised ordinance should not exist. That is that the Planning Board is not under the political pressures of the Council. That is a good reason why that ordinance should not come back up on this table. That is why the Land Use Act was created. He said he wished Mr. Previte would read his veto message. He stated that it is a well thoughtout, rather philosophical message. It contains an interesting discussion of the philosophy of planning and zoning; the separation of powers. The differences between the Zoning Board, which is created by the Council, whose members are appointed by the Council, whose appeals are heard by the Council; and

the Planning Board whose appointments are made by the Mayor. The Land Use Act, he continued, did not create a statutory right of appeal to the Council, by reason. This act is very strong in its philosophy of removing planning from the political arena. That is its stated intent, if you read the preface to it. In the years that most of you have been in town, there has never been an appeal by the people. The reason is that the Planning Board does listen to the people. The Land Use Act created, not the right of appeal to the Council, but more public hearings. Prior to the Land Use Act, a site plan did not require a public hearing. Now it does. The Planning Board has always listened to the people, certainly in the years that he himself has been here; and he reminded those present that he has been on the Planning Board for six years. In all that time he declared that he knows of no subdivision that was passed against the will of the people. The Planning Board has been responsive to the people because its members are drawn from within the community.

The Mayor said that bearing this in mind, the only aggrieved party who might come before the Council would be a developer. The net result will be creating the course of appeal to the Council for the developer. He stated he is not against this, if it is what Council wants. But there is a recourse for an aggrieved party, other than to the Council, and that is to the Courts. The Courts of law are open. That is the course of action which the State statute, the Land Use Act, sets forth.

But the Mayor was swayed, he said, by listening to members of Council who believe that this ordinance is important for the people. And he is all for helping the people. Therefore, if that ordinance comes back up, with certain other things resolved, it will become law. He looks forward to seeing the ordinance in a little better form.

Councilman Klau asked permission of the Council President to make a few remarks, which he directed to Dick Previte. He feels that gentleman is misinterpreting the present ordinance. It does not give the Council the last say in all cases: only when a subdivision approval is appealed. If there is no appeal, then the matter never goes to the Council. There is expense involved in filing an appeal, so it will not be done lightly. He said the people deserve this right. As for the Planning Board being non-political; it has nine members, seven appointed by the Mayor, the eighth is the Mayor, and the ninth is himself, the Council representative to the Board. The Councilman believes that such an arrangement is dangerously political. Thus, this ordinance is a very important piece of legislation.

At this point in the proceedings, Council President Croddick opened the public hearing on Ordinance #7-78 (restricted parking on Bryant Drive).

Stan Rosenberg of 4 Bryant was the first speaker. He asked Council to adopt this ordinance. On week days there are 8 to 10 cars parked on the street, one of them always in front of his mailbox. The postman will not deliver his mail. He has to go to the post office to get it. These people who park there are teachers in the New York City school system, so we do not have the problem on Saturday or Sunday, or during school vacations. Their cars are parked there from 7:30 A.M. to 4:30 P.M. When the children come home from school, these cars create a safety hazard, having that many cars on these local streets.

Councilman Vuola introduced Resolution #95-78 (Ord. #7-78):

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

ORDINANCE #7-78

AN ORDINANCE CREATING CERTAIN LIMITED PARKING
ZONES ON BRYANT DRIVE IN THE TOWNSHIP OF
MARLBORO

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Klau. When the Council President asked if there were any discussion, Councilman Grossman asked to be recognized. He said he had inspected the area in the past week, once at 7 o'clock in the morning and another morning at 7:30. At the later hour there was one car parked there; at the earlier hour, no one was there. He does not deny that from time to time there must be many cars there. He asked the Attorney, through the Council President, whether we might adopt an ordinance forbidding parking in front of anyone's mailbox.

Mr. Bierman replied that it would be perfectly proper and valid to do so.

Councilman Grossman said he would rather have Council do that than just declaring a no-parking area. He continued that he thought the police might be very useful in areas where there are temporary safety hazards (such as now at the western end of Route 520 and occasionally on Bryant Drive) rather than going around giving out tickets. He does not see the cost-effectiveness of the thing, what with the little income the town will derive when these cars move to the municipal parking lot.

Councilman Vuola has a partner who lives adjacent to Mr. Rosenberg and has occasion to traverse the area of Bryant Drive often. He agrees with Mr. Rosenberg that the situation as described does exist.

Councilman Klau has been there and views the situation as not good. One night at 10:30 there were four cars parked on Bryant Drive.

Deputy Mayor Newman said he lives around the corner and views the conditions on Bryant Drive every day. These parked cars have been creating a real traffic hazard. During the snow, with the plows in operation, the two-way street became a one-way street because of these cars. They belong in the parking lot.

Dick Previte and Marlene Groper said they passed there regularly in the morning and always found parked cars there.

The Ordinance was adopted on the following roll call vote: Councilmen Klau and Vuola and the Council President, Aye; Councilman Grossman, Nay.

Immediately after the Council President opened the public hearing on Ord. #8-78, the Salary Ordinance for the Township of Marlboro. Attorney Bierman called his attention to a printing error in the police sergeant's salary. It was published as \$17,000, but should be \$17,500. Council President Croddick asked for a motion to amend and it was offered by Councilman Vuola, and seconded by Councilman Grossman. Then Councilman Klau asked whether this is the time to amend the ordinance. Mayor Goldzweig stated that it is just a plain error. He inquired when Council would have a chance to amend it. Mr. Bierman said it could be done tonight or any time prior to adoption.

The Council President asked for a roll call on the amendment. The vote was unanimously in favor of the motion.

The Council President said he would close the public hearing tonight and move to hold the second and final reading of the ordinance at the next meeting. He then asked whether any member of the public wished to speak on the ordinance as amended. Since no one desired to speak, the public hearing was closed.

The Council President then called for a motion to move the adoption of this ordinance to the next Council meeting. Councilman Klau offered such a motion and Councilman Vuola seconded it. It was passed unanimously on the roll call vote.

The Council President asked Mayor Goldzweig to present his administrative report at this time.

The Mayor said he would abbreviate the report because so many people are here to discuss a specific subject. He apologized to those who had to stand tonight. He said this is a rather large meeting room as townships go and he is happy to see so many people come out. He hopes that the problem which brings them to the meeting will be resolved to everyone's satisfaction before the night is out.

He announced that the New Jersey Mayor's Association is holding a tax convention and tax assessors' day on Saturday, May 13, 1978. Mayor Goldzweig will be chairing that meeting for the third consecutive year, a task which is a privilege. He invited the Council and any members of the administration to attend. It is in Hightstown at the Olde Yorke Inn.

The subject of his report is the WMUA, on which he has a prepared statement. He has done something affirmative with regard to the WMUA. Contrary to the negatively critical newspaper and radio reports of the increased sewer rate, the Mayor wants to offer a defense, or at least an explanation, for the increase. Holmdel, the township for which our State senator is attorney, has just raised its rates to \$200; and they don't even have a plant. Their sewage goes into the Bayshore Authority plant. The Bayshore does not provide tertiary treatment, only secondary. It costs a lot more to treat the sewage once more. Mayor Goldzweig is asking the legislators of Monmouth County in Trenton to sponsor, jointly, legislation providing aid in the amount of \$100 per year to any authority in the State which provides tertiary treatment.

That aid would be provided to the Authority on the basis of \$100 per year for each customer (or family). If this happens, the WMUA is the only Authority in the State of N.J. which provides tertiary treatment. It creates a fair classification because there will be other Authorities coming on soon that provide this treatment. It means that the WMUA provides an effluent that is almost drinkable. It means that we are providing clean water for the people downstream. You, the public, are paying for it; and you don't even know it. That is why your prices are that high. Yet, we still suffer the ills, being downstream from the City of New York. When we go boating or swimming we must face the sewage that at best is only given primary treatment, and some of it is raw sewage. We are four steps beyond that and that is what we are paying for. Your rates will go down \$100 a year if the legislature supports that legislation. The Mayor has suggested that the Commissioners invite the legislators to the next meeting to find out what the raise in rates is all about. He thinks that before anybody criticizes the Authority, they should know what it is all about, and see it at least once. One of the other things the Mayor has recommended is an additional credit for senior citizens who pay utility bills. All this, together with the fact that 70% of the charges are deductible (from taxable income) will have a substantial effect on your rates.

Council President Croddick announced that members of the public who desired to speak on the Board of Education Bus Depot would each be given two minutes. Chief Walker set up a microphone in the front of the hall.

Jerry Ginsburg of 15 Arlington Drive does not want the ingress and egress for the school busses on Wyncrest Road. He does not believe they can manoeuver safely on a road that is only 28½' wide. He believes the increased traffic on Wyncrest will endanger the safety, perhaps even the lives, of children who live there. Based on a traffic study, he feels it is far more reasonable to have the busses located on Route 520. He claims the Board of Education is so eager to rush this thing through because of inflationary pressures; but this same Board squandered \$69,000 of the taxpayers' money on furniture in the student lounge and in the corridors of the Middle School. With \$46,000 worth of sofas in the corridors, he fails to see why the Board is worried about spending a few thousand dollars on a roadway which will promote someone's safety.

Carol Hoffman of 75 Wyncrest Road said she worries about her children playing in the front yard because of speeding traffic. The school busses will only aggravate a bad situation.

Henry Kogan of 21 Truman Drive asked the Council and the Board of Education to think of some location away from residential areas. He said there is a lot of empty space in Marlboro.

Ross Nizer of 5 Newport Road, a new member of the Board of Education stated that the Board, with its architect and staff, reviewed all three proposals for the transportation facility presented to it by Council. He wants the Council to know why the Board chose the site that it did. There were three proposals: the first was the 33+ acres with access on Route 520. The land is in back of the Middle School. It is in a very good location, as far as the water table goes. The problem is the ingress and egress. There are only two ways to get to that land: to run the busses through the existing traffic pattern of the Middle School. At the rear of the one-way traffic pattern, this road would come off and lead to the bus depot. That suggestion was vetoed unanimously. The Middle School traffic pattern is extremely hectic. To get to the playing fields, children have to go across the existing roadways. The County Superintendent of Schools would not approve this project if the access road were placed in this manner. The second suggestion for ingress and egress on the 33 acres was to run a road straight back from 520 on to the 33 acres. This road would have to parallel and be right next to the berm between the Middle School and Fairfield Manor. The busses would have to become level with the berm in an area at the back of the school. This means the busses would be in full view of Fairfield Manor houses, with a direct view into the second story of the houses there. In point of fact, he continued, the bus depot was also located in full view of Fairfield. The access road would have to be close to a very bad curve on 520. For this and the foregoing reasons, we simply could not accept this location.

The second proposal was the Board owned acreage on Route 520. This is the acreage which the Board's architect originally thought advisable. When this acreage was checked by the architect, it was found that, no matter where the bus depot was built, there would not be enough acreage left to avoid tremendous construction costs. The architect felt we might have to put down pilings for foundations. Consequently, the Board of Education did vote unanimously to request the Council to leave the site as originally proposed.

Jim Graziano of 77 Wyncrest Road was the next speaker. Before he spoke, Council President Croddick asked the Clerk to introduce into the minutes the receipt of the petition from Fairfield Manor, presented by Les. L. Bebchik. The petition reads as follows:

We, the undersigned residents of Fairfield Manor, hereby protest the consideration of the school bus depot access roadway running adjacent to homes in Fairfield Manor.

Mr. Graziano said he knows that he lives right at the end of that proposed egress road. Within 2½ years there have been three serious traffic accidents at that exact location. He thinks no decision can be made until we hear from the Chief of Police. We need statistical evidence of the traffic flow here, the number of accidents and the safety of busses coming on and off this very busy road. Wyncrest is a busy road and so is 520. We must have evidence of the level of traffic on these roads at the particular times the busses will be leaving and entering.

Elinor Schwartz of 3 Municipal Drive asked to be recognized. She was at the caucus Monday night and at the Board of Education meeting Wednesday night where she made a statement which she is sorry she made. There are three alternatives and the Township architects cannot agree with the Board of Education architects. No one agrees. She asked if it would be possible to obtain a third opinion: an outside, unbiased opinion, from an architect, who could tell us what is what. Then no one can blame either the township or the Board of Education, and we can get on with the project and nobody is hurt. She would like an answer because the matter is getting out of control.

Council President Croddick replied that when all the other members of the public have spoken and the Council will take all opinions under advisement and discuss the matter.

Mr. Sheldon Rogers of 6 Hoover Drive was the next speaker. He said that, knowing how strict the town is in not permitting commercial use in a residential area, or industrial use in a commercial area, it might be a good decision on the part of Council to take the bus depot out of a residential area, possibly even allocating funds to buy property in the Vanderburg Road area which the town has designated as industrial. He said that a half million dollars in property taxes are collected annually from Marlboro Estates and Fairfield Manor. He does not think a 5-acre piece of land on Vanderburg would cost anywhere near that kind of money. Considering the taxes from these two developments over a period of ten years, which amount to over five million dollars, he believes Council should be responsive to everyone of these citizens by putting an industrial site in an industrial area, as opposed to a residential area.

Steve Kurzen of 29 Millay Road; he said he does not live near the area under discussion, but as he recalls the plans, he believes the police department is going to be located in this complex. This means the police cars will be pulling in and out of the complex. He feels that the residents ought to be more concerned about police cars than school busses. When there is an emergency, the police have to run. He said the Council should consider the widening of Wyncrest Road even if the school busses are not going to use it to get to and from the bus depot.

Jim Hourihan of 23 Amherst Road; he said he supposes he shares some of the responsibility for all this, having served on the Board of Education. He left them two months ago and calls attention to the dilemma they are now in. One of the reasons the Board was delighted to have the property on the H & L Farms is the security that that facility offers to the non-educational assets of the Board. He does not believe the traffic hazards reported as a result of the bus depot will be any worse than they are today. With the traffic leaving Marlboro Elementary and going up Wyncrest Road. We will reduce the hazards somewhat by moving, although not as much as we would like to. The traffic is going to be less than it is today. The people on Wyncrest are not going to have complete relief from the yellow busses. But it is really only three times a day, for ten or fifteen minutes that these busses will be exiting from the property. Nor is it for a whole year: the school operates those busses approximately 185 days a year. During the early morning run, no one is around. Then there is the run around one o'clock, and the final run in the evening. He does not think it is that dangerous and he lives not too far from that area. The Board wants that property for two reasons: one is the security the municipal complex offers to our fleet coming and going; and the other is that the people who work at the bus depot are part of the administration and he thinks it a great idea that they all be on one site. He concluded by thanking Council for offering property at the complex, recognizing that it was now caught up in the maelstrom of neighbor against neighbor and development against development. That was never the intention of the Board of Education. He said he never worked with finer people than those on the Board of Education.

Barbara Burkholz, President of the Board of Education, came forward to present her views. She opened her remarks by saying that the Board was not against any of the individual developments in Marlboro Township. It wants to provide a safe school-time area for all of the children. Now all the school busses are parked at Marlboro Elementary School. This is a very unsafe situation and has always been unsafe. When the Board went into the bussing business, it knew it would have to have a place to put the busses. The only place available at that time was the Marlboro Elementary facility. Those busses leave their parking lot and return there every day, and they did so long before Fairfield Manor or Marlboro Estates were in existence. Only the Levitt community was there, near the southern end of Wyncrest Road.

The Board has been trying to come up with a proposal that will not be aesthetically annoying to anyone. When the busses are parked on the Wyncrest Road site, they cannot be seen by anyone from the road. There is a large berm that will hide them from the road. The only place they can be seen from is Route 18. If the Board takes the 33-acre site, the busses will be in full view every day. The most important of this entire proposal is that we get the busses and the gas tanks out of Marlboro Elementary. The Municipal Complex we are building on the H & L site is both industrial and residential. We cannot separate school busses from the police department, nor would we want to. The close proximity of the Police Department is one of the reasons we have chosen that area.

Mrs. Burkholz asked the audience to remember that it costs the taxpayers money every time a school bus is vandalized. The busses will be watched if the Police Department is near the depot. So far, we have been lucky and have not had a major tragedy at Marlboro Elementary. The land for a new and safe bus depot was promised to the Board of Education, and the H & L site is the most reasonable within the monetary restrictions placed on the project. She said the taxpayers had passed the referendum which keeps the Board within a limited budget. The Board cannot go into its own budget and add things to what the referendum covers. This construction must be okayed by the State Department (of Education) before the Board of Education can proceed with anything. And the State Department (of Education) will tell us how the building must be placed on the site, where the road must go and how it should be built. The State Department rules the construction of this project.

The next speaker was Paula Forster, a member of the Board of Education transportation committee. Just to set the record straight she wants the public to know that the Board does not bus any highschool students anywhere. Nor does the Board have 38 busses in its fleet. She said no one at this meeting except Mrs. Burkholz has even mentioned the safety factor. True, some have worried about the safety of the children on Wyncrest Road, but there are approximately 900 children that attend Marlboro Elementary. Most of them live in Monmouth Heights and Marlboro Estates. We want this majority to go safely to and from school. There should not be a gas tank near a school. It is a hazard. We must move it out.

Most importantly, the entire School Board went to the public last December, 1977, on a referendum to build this depot. All of you knew where the building was going to be built because the information was mailed to you. Not one member of the community came out in opposition to the project. Both buildings on the Municipal Complex. It was no secret. You had the opportunity to come forward before that referendum went to the public. But then you were not interested. Now you are. This is four months later, and it is going to cost the community more money if we continue to go back and forth. I am not for that.

This Board has always been responsive to the community. You all have the opportunity every month to come to a Board meeting. Mrs. Forster urged the public to attend.

She concluded that the busses would be hidden in the back of the H & L property. She would never agree that they should be placed within view of Fiarfield or any development. The depot will be in no one's backyard at Marlboro Estates. It is way off. The busses start out at 6:30 A.M. and surely no children are on Wyncrest Road at that hour. She hopes that Council will reach a decision tonight. She added that the women drivers in the developments are the worst offenders when it comes to exceeding the speed limit.

Marilyn Ginsberg of 15 Arlington Drive, Marlboro Estates: We have to see a plan before we can discuss it further. We don't know where the access road is supposed to be. She insisted that Marlboro Estates never suggested that the access should be near Fairfield Manor. We asked that there be a road on the other side of the Middle School near the library and to indicate otherwise is blatant distortion. We were unable to see the site plan at Monday's caucus so we cannot fully evaluate the situation.

She was appalled at the Board's tactics in trying to railroad their choice. First they threatened to stop bussing Marlboro Estates children, which is absurd; then they said they would sue residents for trying to prevent what we feel is an unsafe situation. They feel the Wyncrest Road entrance will be unsafe for all town residents. With the Municipal Complex being located there, there will be increased traffic. We feel that the bus depot on top of that makes it worse. We never said the school bus depot was our only problem. There must be some safe way of redesigning the access and re-locating the busses so that they are not on top of the berm, so that they do not interfere with the value of anyone's home, or the safety of anyone's children.

She said she had asked the Board to quantify some of the costs of using alternate sites instead of just saying it cannot be done. If we put a dollar price tag on it, maybe we will know what we are talking about. We all want the safest overall resolution. She does not want the Board to move the busses and the gas tanks from one unsafe area to another.

Paul Alterman, a member of the Board of Education, was the next speaker. He said he had been a member of the Board for 7 years and had to take issue with the previous speaker on several points. When the Board offered this resolution for referendum, the site was well defined as westerly on Wyncrest Road. The Board did cite the H & L Farm in a resolution which Council passed. The location as presently indicated was chosen because it is not visible from anywhere except Route 18. The Board believes that all municipal facilities should be together now that we are building a municipal complex. The other locations, in back of the Middle School and on Route 520, will put

the busses in full view of residential areas, Fairfield Manor now, and the subdivided Buttonwood Farms within three years. With regard to safety, Wyncrest is not a through road, but is wholly within the township. Anyone driving on it must know exactly where he is going. This provides a certain amount of security. Route 520 is 50 miles per hour. In a matter of years, there will be houses on both sides of it. Thirty busses pulling out on to this road, a through road from one side of the county to the other, run the risk of being hit by out-of-town drivers at 50 miles per hour. With or without children on them, this is dangerous. There is no safety on 520. No matter we move this site, someone will complain. On Wyncrest Road there will be houses on one side only, almost forever, because the complex will be on the other, and the library and the ball field.

In response to a speaker who said that the busses had been at Marlboro Elementary for many years, he stated it is true. But the Board started with 11 busses which filled their tanks once a month; and now we have 31 busses whose tanks must be filled three times as often. These gas tanks being filled and emptied are dangerous. In September the busses will be outside the fence, because of lack of room inside. They will be parked on the school parking lot, easier for the children to get to, to vandalize and to endanger themselves.

He ended his remarks with a statement to the Council that if we choose to move the bus depot to another part of town, we must then choose to have another election.

The Council President recognized Melvin Kenduck of Turner Terrace, in Whittier West, as the next speaker. He is a member of the Planning Board. He said he wanted to remind the Council that, in connection with the dedication of the land on which the Middle School stands, some excess property, 3.2 acres, was given to the Board of Education. For some time now the Council has requested the return of that acreage and has been told by the School Board that it had future use of the land in mind. He said that he and Mr. Klau are members of the Planning Board and that the Buttonwood Farm development has come before the Planning Board. That Board has created a Land Conservation easement all along Route 520. Contrary to what Mr. Alterman said, there will be no houses in Buttonwood Farms facing 520. That land will remain in its current state. There will be internal roads exiting on 520, but there will be no homes facing that road. As for the speed limit, he believes it is a reduced speed limit area because of the curve. With regard to the comment we heard tonight that the 3.2 site may require piling, if it cannot hold parked school busses which take fewer pounds of pressure per square inch than . . . cans of peas stacked ten high, then what is the Board of Education going to do with that property. Mr. Kenduck submitted to his listeners that the 3.2 acre site would be adequate for manoeuverability. There is a possibility of additional land, which the Council has looked into, and he is sure the developers of Buttonwood Farms would cooperate. It is the firm belief of this speaker that future residents of the area will not have traffic and safety problems, such as are being protested against tonight, if the bus depot is placed on the 3.2 acres.

The next speaker was Morton Cohan of Sudbury Road, a member of the Board of Education. He wants to make one correction to the comments of the previous speaker. The Board of Education has never gone on record for expansion on the 3.2 acre site. It has gone on record as saying that the 3.2 acres could not be returned in the initial phase of the Middle School construction because of the plans for the school. No matter what the wishes of the School Board or the township, all building and locations must be approved by the State Department of Education. The Middle School is not complete legally because there are contractors in litigation and the building has not been accepted by the State. As soon as that is squared away and we know what we are doing with the ten acres which may be used for the third wing, that 3.2 acres will be returned to the township according to a resolution already passed by the Board. The Board has never had anything to say about building on that site for reasons which have become abundantly clear during the past few weeks. It is simply an unbuildable piece of property.

Joan Herman, a school bus driver, was recognized and came forward to speak. She said everything has been taken into consideration except the drivers of those big yellow busses. Each bus driver transports, safely, approximately 200 children to and from school every day. She emphasized the defensive driving courses and safety courses required to be passed by all drivers. She said the drivers eat, breathe and live safety. She sees nothing wrong with the busses having to come out on Wyncrest Road. All drivers manage to avoid the big ditches beside the road. No one has any idea what a bus driver goes through every hour he or she is on the road. You learn to survive with one eye on the road and the other in the rear-view mirror. She has been driving for thirteen years and has never had an accident. She is on the road approximately ten hours and is proud of this record.

With regard to safety factors, she stated that the fences now enclosing the bus depot were put up to hold 11 busses. The area is now holding 32 vehicles. The fences cannot be stretched. She said busses must be parked with a maximum of 4" on each side, and the drivers back these busses up every day without accidents. Many cars come in and out of the school parking lot with children who are involved in various after school activities; cars back up without looking for busses; children on the playground during recess are concentrating on their play, not on bus traffic. It is dangerous and the school bus driver literally has to have eyes in the back of his head. There is no room in the compound for Board of Education vehicles so they are parked outside the fence. Children play on them; they are vandalized.

Robert Cook, architect for the Board of Education spoke next. He was requested by the Board to make an unbiased judgment on certain sites. He began with the H & L site, then looked at the 33 acres, then at the 3.2 acres. He analyzed the 33 acres, but the Board of Education would not accept them. The 3.2 acres is totally uneconomical, under the Board's current budget, to develop. It has one acre that is a marsh: a bottomless pit.

He said that in pushing for the H & L site, the Board stands ready to take every human precaution against accidents of any kind. It is reducing the number of trips around the Wyncrest curve in the course of a day. Inflation is a valid point, as construction of the bus depot is four months behind schedule; and is \$20,000.00 in the hole without the road,

Lynn Graziano of 77 Wyncrest Road said residents there want to retain their narrow residential road. They oppose the traffic of school busses and police cars, and they do not want the road widened. Diana Lang of 79 Wyncrest agreed with her.

Marty Karasik of 37 Burnside Circle said he was out of town when notice of the meeting last December came in the mail. He does not think the Board of Education gave enough notice of that meeting. He did not find it possible to react and he believes this was the case with many others.

Mayor Goldzweig asked if he might speak. He commended those present for the courteous manner in which they participated in this public hearing. He does not like to see one development against another. He reminded his listeners that the H & L site is 110 acres and gives the township and the Board of Education a great deal to work with. (His remarks were rather lengthy and are available on tape.)

Council President Croddick then inquired whether any member of the Council wished to speak on this resolution. Councilman Grossman asked to be recognized. He said that this morning he had sat for an hour in the Executive Office of the President in Washington talking with Domestic Council members. The Deputy to the Chief spoke of the frustration of the Administration. Last year the President makes a decision one way and alienates half the population. This year he makes a decision the other way and alienates 80% because 40% have changed their minds. He said it is very much like the Mayors and Councilmen around the country who have the pressure of making decisions on the local level and have to face the citizens one on one. Councilman Grossman responded that he knew exactly what the Deputy meant. The Councilman hopes we can make a decision tonight.

Since no one else asked to speak, the Council President introduced Resolution #96A-78 on the Board of Education facility:

WHEREAS, it is the desire and intention of the Township Council of the Township of Marlboro to provide for the highest level of progress in the Township at the least cost to the residents and taxpayers; and

WHEREAS, there has been demonstrated a need for the expansion of the school system so that adequate facilities for administration and transportation are provided; and

WHEREAS, the Township Council has heretofore determined to cooperate fully with the Board of Education in providing land necessary for said expansion; and

WHEREAS, in a spirit of leadership that should provide a model for other municipalities in the State of New Jersey, the Township Council and the Board of Education have determined to share certain lands and facilities in their continuing effort to minimize the cost of such facilities and services to the residents and taxpayers of the Township; and

WHEREAS, the Board of Education has projected a cost that approaches \$50,000.00 to provide land for an administration building and transportation facility and have advised the Township Council of their desire to obtain lands and premises suitable without expending such great sums of money; and

WHEREAS, the Township Council has determined it is in the best interests of the residents and taxpayers to make available lands and premises it now owns for use by the Board of Education;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. The Township Council hereby grants, authorizes and directs the necessary Township Officials to prepare a metes and bounds description for two tracts substantially as shown on the sketch attached hereto and made a part hereof, it being the intention of the Township Council to provide approximately two acres for an administration complex and approximately three acres for a transportation facility located on the premises known and identified as the H & L Farm; the Township Engineer being authorized and directed to prepare the necessary metes and bounds description to be included in such conveyance, in cooperation with the Township Architect for the municipal complex as well as the Board of Education Architect.

2. The Township Architect and Township Engineer shall fix and determine the location of the buildings to be erected on said site

including the front and side yard requirements and parking facilities thereabouts.

3. The deed of conveyance shall contain adequate and appropriate reservations and restrictions providing for the construction material and an architectural style to be compatible with the municipal complex presently under construction on the site, subject to the approval of the Township Engineer.

4. The deed of conveyance shall contain appropriate reservations and restrictions providing for the construction of an entrance road satisfactory to the Township Engineer (providing for all maximum safety requirements required by the Board of Education) and harmoniously designed to service the entire site.

5. The deed of conveyance shall contain the appropriate reservations and restrictions providing for the use of the common entrance way by the transportation vehicles of the Board of Education, which said vehicles shall then be required to travel on a road running adjacent to Route 18 and parallel to Wyncrest Road to be constructed and paid for by the Board of Education, and provided further that no school buses or transportation vehicles of the Board of Education shall use the main service road to the municipal complex.

6. The deed of conveyance shall contain appropriate reservations and restrictions permitting the road department vehicles of the township to use the transportation facility roadway described in Paragraph 5 of this resolution.

7. The deed of conveyance shall contain the appropriate reservations and restrictions providing for the construction of an eight inch (8") water line from Wyncrest Road to provide adequate fire protection to the Board of Education Facilities, the cost of which shall be shared equally by the Township and the Board of Education.

8. The deed of conveyance shall contain appropriate reservations and restrictions providing for the establishment of parking lots for the administration building and the transportation facility, which said parking lots shall conform to the requirements of the existing Township Ordinance for size and capacity.

9. Immediately upon receipt from the Township Engineer, the Township Architect, and the Board of Education Architect, of the metes and bounds description and the appropriate reservations and restrictions described hereinabove, initialed as to approval in form and substance, the Township Attorney is authorized and directed to prepare the necessary deeds of conveyance and the Mayor and Township Clerk are authorized and directed to execute said documents and

deliver same to the Board of Education.

It was seconded by Councilman/^{Klau}and adopted on the following roll call vote: Councilmen Grossman and Klau and Council President Croddick, Aye; Councilman Vuola, Nay. Councilman McClung was absent from the meeting.

Councilman Grossman introduced Resolution #97-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Mayor's appointment of Frances Bauman as a member of the Local Assistance Board is hereby ratified and confirmed for a term of four (4) years commencing on the date of the adoption of this resolution.

It was seconded by Councilman Vuola and adopted unanimously by the four Councilmen present. Councilman McClung was absent from the meeting.

Councilman Vuola introduced Resolution #98-78:

WHEREAS the attached list in the amount of \$1.51 known as Schedule "A" is comprised of amounts too minor to refund;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Marlboro to release the Tax Collector from refunding thereof and to order the same cancelled.

(Schedule "A" is attached and made a part hereof.)

It was seconded by Councilman Grossman and adopted unanimously by the four Councilmen present.

Councilman Klau introduced Resolution #99-78:

WHEREAS the attached list in the amount of \$2.26 known as Schedule "A" is comprised of amounts too minor to collect;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro to release the Tax Collector from the collection thereof and to order the same cancelled.

(Schedule "A" is attached and made a part hereof.)

It was seconded by Councilman Grossman and adopted unanimously by the four Councilmen present.

Councilman Grossman introduced Resolution #100-78:

WHEREAS, the rightful owner of Block 71, Lot 6, has redeemed Tax Sale Certificate #73-7; and

WHEREAS, holders of said tax sale certificate, Morton and Carole Salkind, are entitled to taxes, plus interest and costs in the

amount of \$4,847.32;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the amount of \$4,847.32 be refunded to the holders of said certificate as above.

It was seconded by Councilman Vuola and adopted unanimously by the four Councilmen present.

Council President Croddick introduced Resolution #101-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Women's American ORT be granted a raffles license, in accordance with its application No. RA: 202, for an off-premise raffle to be held at Robertsville School, Tennent and Union Hill Roads, Morganville, New Jersey, on November 27, 1978, at 8:30 P.M.

It was seconded by Councilman Vuola and adopted unanimously by the four Councilmen present.

Councilman Vuola introduced Resolution #102-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Discovery House Parents Association be granted a raffles license, in accordance with its application No. RA: 200, for an on-premise raffle to be held at Discovery House, Marlboro, New Jersey, on December 19, 1978, at 8 P.M.

It was seconded by Councilman Grossman and adopted unanimously by the four Councilmen present.

Councilman Klau introduced Resolution #103-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Special Permit for a Social Affair, pursuant to R. S. Title 33: C.1 of the State of New Jersey (Division of Alcoholic Beverage Control), be granted and it is hereby granted, to New Breed C. B. Club of Iselin, New Jersey, in accordance with their Application No. A-22, which gives the date of said Social Affair as May 20, 1978, from 8:00 P.M. to 2:00 A.M. and the location as the Morganville Volunteer Fire House.

It was seconded by Councilman Grossman and adopted unanimously by the four Councilmen present.

Councilman Grossman introduced Resolution #104-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and she is hereby authorized and directed to prepare specifications for electrical sub-code inspection services; and

BE IT FURTHER RESOLVED that she is authorized and directed to advertise for open, competitive bids for the same.

It was seconded by Councilman Vuola and adopted unanimously by the four councilmen present.

Councilman Grossman introduced Resolution #105-78:

BE IT RESOLVED that Harry Schwartz of 36 Ottawa Road South, Marlboro, New Jersey, be and he is determined to be the highest bidder covering the following work, labor and/or materials: SWIM CLUB CONCESSION;

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to: Harry Schwartz on his high bid of \$10,507.00 for a period of three years commencing from the date of the adoption of this resolution.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Vuola and adopted unanimously by four councilmen present.

Councilman Vuola introduced Resolution #106-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings be and they are hereby approved: July 14, 1977; August 15, 1977, (special meeting); August 25, 1977; November 4, 1977, (special meeting).

It was seconded by Councilman Klau. The roll call vote for the minutes of July 14th and August 25th was: Councilmen Klau and Vuola and Council President Croddick, Aye; Councilman Hyman C. Grossman, Abstained (he was not on Council in 1977); Councilman McClung was absent from the meeting at which this vote was taken.

The roll call vote on the minutes of August 15th and November 4th was as follows: Councilmen Klau and Vuola, Aye; Councilmen Grossman and Croddick abstained, the former because he was not a member of the Council in 1977, and the latter because he was absent from both of these 1977 meetings. Councilman McClung was not present at the meeting at which this vote was taken.

Councilman Klau introduced Resolution #107-78:

WHEREAS Joseph and Frances Grosso have, pursuant to law, deposited certain Performance Bonds with the Township of Marlboro in connection with the construction of the subdivision known as Oak Hollow, Section 1, the number of the said bond being 908709;

WHEREAS, Joseph and Frances Grosso have requested a release of the above-mentioned Performance Bonds pursuant to N.J.S. 40: 55-1.22; and

WHEREAS, pursuant to said statute, upon receipt of the request by Joseph and Frances Grosso the Township Council directed that a complete investigation and report be prepared by the Township Engineer within the time permitted; and

WHEREAS, the Township Engineer has reported to the Mayor and Township Council in connection with the necessary improvements within the subdivision known as Oak Hollow, Section 1;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the request by Joseph and Frances Grosso for a release or reduction from liability under the above-mentioned performance bonds is granted and the said bonds shall be released or reduced as follows:

Section No. 1 - Bond #908709 - Reduced from \$66,131.00 to _____
(Instead of inserting a figure in the space provided, the action of the Council was to state that "There shall be no reduction of this bond.")

2. That the Township Clerk is authorized and directed to forward a copy of this Resolution to Joseph and Frances Grosso.

It was seconded by Council President Croddick and adopted on the affirmative vote of the four Councilmen present.

Councilman Vuola introduced Resolution #109-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Marlboro Township Little League, Inc. be granted a raffles license, in accordance with its application No. RA: 201, for an on-premise raffle to be held at the Marlboro Township Little League Field, Tennent Road, Morganville, New Jersey, on June 17, 1978, between 2 P.M. and 3 P.M.

It was seconded by Councilman Grossman and adopted by the affirmative votes of the four Councilmen present.

Councilman Klau introduced Resolution #110-78:

WHEREAS the attached list in the amount of \$300.00 known as Schedule "A" is comprised of amounts representing Veteran's exemptions granted after 1977 taxes were paid;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Tax Collector be and she is hereby directed to refund the amount of \$300.00 to the property owners.

It was seconded by Councilman Grossman and adopted by the affirmative votes of the four Councilmen present.

Council President Croddick introduced Resolution #111-78:

WHEREAS the attached list in the amount of \$170.00 known as Schedule "A" is comprised of amounts representing Senior Citizen exemptions granted after 1977 taxes were paid;

NOW THEREFORE BE IT RESOLVED by the Council of the Township of Marlboro that the Tax Collector be and is hereby directed to refund the amount of \$170.00 to the property owners.

Schedule A

<u>Block Lot</u>	<u>Assessed Owner</u>	<u>Amount</u>
53 4	Ellsworth Rouse	\$ 60.00
65-B 4	Wilbur & Gunborg Baroch	\$ <u>110.00</u>
		\$ <u>170.00</u>

The resolution was seconded by Councilman Vuola and adopted by the affirmative vote of the four Councilmen present.

Councilman Grossman introduced Resolution #112-78:

WHEREAS the attached list in the amount of \$3,974.82 known as Schedule "A" is comprised of amounts representing overpayments of 1977 taxes;

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby directed to refund the amount of \$3,974.82 to the taxpayers as listed in Schedule "A".

(Schedule "A" is attached and made a part hereof.)

The resolution was seconded by Councilman Vuola and adopted by the affirmative vote of the four Councilmen present.

Councilman Vuola introduced Resolution #113-78:

WHEREAS the attached list in the amount of \$970.03 known as Schedule "A" is comprised of amounts representing overbilling on 1977 preliminary tax bills;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby directed to refund the amount of \$970.03 to the property owners.

(Schedule "A" is attached and made a part hereof.)

The resolution was seconded by Councilman Vuola and adopted by the affirmative vote of the four Councilmen present.

Council President Croddick introduced Resolution #114-78:

Resolution - Special Item of Revenue in 1978 Budget

WHEREAS, the Township of Marlboro wishes to anticipate in its 1978 Annual Budget as a Special Item of General Revenue Anticipated with prior Written Consent of the Director of Local Government Services as follows:

State and Federal Revenues Off-Set with Appropriations:

Comprehensive Employment Training Act of 1973 \$54,202.34

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Director of Local Government Services be requested to permit the inclusion of such item of Special Revenue in its 1978 Annual Budget.

The resolution was seconded by Councilman Grossman and adopted by the affirmative vote of the four Councilmen present.

Councilman Vuola introduced Resolution #115-78:

WHEREAS, the following two subdivisions have heretofore been approved in the Township of Marlboro, and the developers thereof have proceeded with the construction of said subdivisions:

- (1) Isidor Rubin and Margarita Rubin - known as Harrington Estates;
- (2) J.K. & H.J., Inc., known as Big Oak Development;

AND WHEREAS, a multitude of problems have arisen in connection with the construction of said subdivisions which have not been resolved by the developer after repeated demand by the Township to correct the various problems;

AND WHEREAS, it is imperative for the health, safety and well-being of the residents of the Township of Marlboro that corrective action be taken immediately;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That Herbert B. Bierman, Township Attorney, is hereby directed forthwith to take any and all action necessary to cause the surety company guaranteeing the performance by the developers to proceed with any and all necessary corrective action which may be determined to be required by the Township Engineer.

2. That the Township Clerk is authorized and directed to

forward a copy of this Resolution to the Township Attorney forthwith.

The resolution was seconded by Councilman Grossman and adopted by the affirmative vote of the four Councilmen present.

Councilman Vuola introduced Resolution #116-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled AN ORDINANCE CREATING CERTAIN NO PARKING ZONES ON TENNENT ROAD IN THE TOWNSHIP OF MARLBORO be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on April 27th, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The resolution was seconded by Councilman Grossman and adopted by the affirmative vote of the four Councilmen present.

Councilman Grossman introduced Resolution #117-78, General Bill-Paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Vuola and adopted by the affirmative vote of the four Councilmen present.

Councilman Vuola introduced Resolution #118-78, Swim Club Bill Paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted by the affirmative vote of the four Councilmen present.

Council President Croddick introduced Resolution #119-78, Municipal Complex Bill-Paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Vuola and adopted by the affirmative vote of the four Councilmen present.

Council President Croddick introduced Resolution #120-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled AN ORDINANCE VACATING AN ALLEY LOCATED BETWEEN LOTS 5 and 6 IN BLOCK 26C ON THE TAX MAP OF THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY be introduced and passed on first reading and that the same be advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage

on April 27th, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The resolution was seconded by Councilman Grossman and adopted by the affirmative vote of the four Councilmen present.

Council President Croddick introduced Resolution #120-78 (Ord. #9-78):

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled AN ORDINANCE VACATING AN ALLEY LOCATED BETWEEN LOTS 5 AND 6 IN BLOCK 26C ON THE TAX MAP OF THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY be introduced and passed on first reading and that the same be advertised according to law; and BE IT FURTHER RESOLVED that the same be considered for final passage on April 27, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by Councilman Grossman and, there being no discussion, it was adopted unanimously on the roll call vote by the four Councilmen present.

The Clerk was reminded by the Council President and the Township Attorney to send out the Sunshine Notices on the Special Meeting called for Monday, April 17th, for the purpose of introducing amendments to the Budget and Salary Ordinances. The Salary Ordinance will be adopted at the meeting of April 24th.

Council President Croddick reported that tomorrow Council would receive maps made by the Planning Board. Councilman Vuola said if we only had a zoning ordinance, Planning Board would try to make its map comply.

Public Session

Mr. Robert Smith of Brown Road in Morganville complained about the condition of the road: although it was paved last year, it has not been graded, nor has it been plowed when it snowed. He has learned that orders have been given to the Road Department not to plow or grade because cars can barely go through and must limit their speed to about 5 m.p.h. He has talked to the Business Administrator and she said the matter is in the hands of the Township Attorney. A fire truck lost its electrical system going over a bump on the road and the truck had to be towed out. Mr. Smith said that the bump in the road could be leveled out by a road grader in about an hour's time. Ed Smith of the Road Department agreed, according to the speaker. Attorney Bierman stated that the adjoining property owners

who are named Van Roehr contend that they own the road. Every time the township sent equipment in, they wrote letters of protest. Mr. Bierman said he is trying to determine the ownership of the road. We might make these property owners prove that they own the road. Mr. Smith said the road is never closed off, so it is not a private road. Mr. Bierman explained that the Courts can stop the grader. The Van Roehrs keep using an attorney to protest any efforts the township makes to improve the road. He suggested that the Road Department should grade the road until such time as the township receives a court order. Council President Croddick agreed that the Road Department should grade Brown Road and let the offended property owner take us to Court. The Council President also said that Mr. Bierman would call the searching company tomorrow to ask them to hurry with their report; and that Ed Smith would grade the road starting tomorrow or early next week.

An unidentified man said he felt the people living on Brown Road should demand a revised report from the Township Engineer because the existing report is inaccurate. The Council President said that the Engineer would be at the meeting on Monday and questioned about this matter. He was informed that the Administration hires the Engineer and that the Mayor will also be at the Monday meeting.

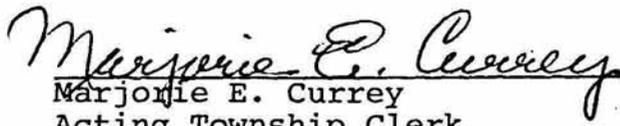
Marilyn Hirschberger, a member of the Board of Education, thanked Council for passing Resolution #96A-78. She believes this proposal will benefit all the people of Marlboro.

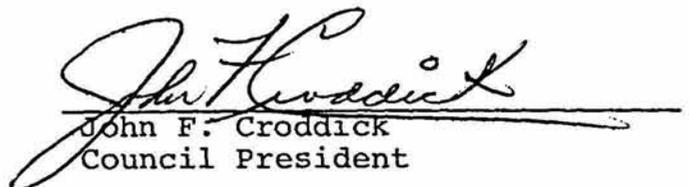
Council President Croddick read a letter from Ivan Portnoy, Planning Board Chairman, stating that the Planning Board will render a decision on Council's zoning ordinance within fourteen days instead of the thirty-five days permitted.

Councilman Klau said that if Planning Board is not going to send out letters to all Township Residents about the Public Hearing on the Zoning Ordinance, the Council should do so. The Council President said that Council should send such a letter in conjunction with the Planning Board. Council will meet on zoning and a review of the Master Plan and give the dates. Councilman Klau reiterated that he wants all postal patrons to get such a letter in time to attend the Public Hearing of the Planning Board.

The meeting was adjourned at 12:02 A.M.

Minutes Approved: December 14, 1978


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
21	11	William and Shirley Warren	\$ 34.31
26-B	4	Morris Schecter (holder of Tax Sale Certificate)	7.23
48	8	Joseph F. & Anna Gorecki et ux	347.92
51-F	3	Gerald and Toby Unger	407.40
52	30-E	Guy Ziegenbalg	111.20
52	40-C	Andrew O'Neil O'Neal	55.16
58-C	12	Morris and Ilene Ashkenazy	365.46
63-G	30	Richard and Betty Hemmerter	425.53
81-C	12	The Williamsburgh Savings Bank	405.69
81-N	15	Gary and Susan Finkelstein	402.53
84	1	Richman et als c/o Mort Kramer, Esq.	704.51
86	3	Richman et als c/o Mort Kramer, Esq.	<u>707.88</u>
			\$3,974.82

Attachment to Res. #112-78

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
12	20	Arthur and Pearlle Richardson	\$ 138.77
15	16	Ernest and Lily Anderson	53.59
24	2-C	Idealina Guerra	60.48
26-G	4	William and Judith Utter	30.26
38	35-A	Andrew and Rubie Horsley	5.75
44	3	Uffredo Edwards	166.89
62	54	Frank and Diana Boyce	324.74
62	55	Marguerita H. Palmer	<u>189.55</u>
		TOTAL	<u>\$ 970.03</u>

Attachment to Res. #113-78

COUNCIL OF THE TOWNSHIP OF MARLBORO - SPECIAL MEETING

APRIL 17, 1978

The meeting was called to order at 8:00 P.M. by Council President Croddick. After the salute to the flag, the Clerk called he roll indicating that Councilmen Grossman, Klau, and Vuola and the Council President were present; and Councilman McClung was absent. Mr. Mc Clung came in at 8:15 P.M.

Also present were Assistant Auditor, Robert Rooney, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T, Denton and Acting Clerk, Marjorie E. Currey.

Council President Croddick read the following Notice of Special Meeting:

"In accordance with the provisions of N.J.S.A. 40:69-179, I Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a Special Meeting of the Township Council on Monday, April 17, 1978, at 8:00 P.M. for the purpose of:

1. Amendment of the 1978 Budget
2. Amendment of the 1978 Salary Ordinance

This meeting will be held at the Marlboro Township Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, Signed: Arthur Goldzweig, Mayor."

The first item on the agenda being the amendment of the budget, the Business Administrator presented some background:

She has received the approved budget from Local Government Services. She explained why certain figures in this budget must be changed. These changes are presented formally in the Resolution to Amend which she hopes will be passed tonight. This Resolution must be hand delivered to Trenton tomorrow so that the Amended Budget can be adopted on Monday, April 24th.

The second item on the agenda is the amendment of the 1978 Salary Ordinance. The Business Administrator said that the police sergeant's salary must be raised from \$17,000 to \$17,500 in order to correct a typographical error. A second amendment she would like is the addition of temporary, hourly, maintenance employee or employees to do the cleaning of the office building @\$2.00 to \$3.00 per hour, the total expenditure not to exceed \$6,000 per year.

Councilman Vuola introduced Resolution #121-78: a copy of which is attached and made a part of these minutes.

Seconded by Councilman Grossman and Adopted on roll call vote as follows: Councilman Grossman, Klau, Vuola and Council President Croddick, Yes. Councilman McClung was absent from the meeting when this vote was taken.

Mr. Bierman had stated, at the conclusion of the Business Administrator's requests for amendment to the Salary Ordinance, that these amendments could be made by motion. This was the approach, therefore, which Council followed.

Councilman Klau moved to eliminate the position of Environmental Officer which pays \$1,200 and to have the work done by the Engineer's office. There was no second to this motion.

The Councilman then made a motion for a brief closed session so that he might discuss with Council something of a private nature. The motion was seconded by Councilman Grossman and was passed on roll call vote as follows: Councilmen Grossman, Klau, McClung and Council President Croddick, Yes; Councilman Vuola, No.

Councilman Vuola then questioned the Township Attorney about the propriety of a closed session. Mr. Bierman said amendments to the Salary Ordinance could be discussed in such a manner.

Councilman Klau said he wanted only the members of Council present at the closed session. Council recessed at 8:19 P.M. for about five minutes.

After the closed session, Councilman Klau made a motion to reduce the salary of the Business Administrator to \$20,000. The motion died for lack of a second.

Council President Croddick moved to make the range of the Tax Assessor's salary \$16,000 to \$18,000. The motion was seconded by Councilman McClung, and passed unanimously on the roll call vote, all five Councilmen now being present.

Council President Croddick moved to make the range of the Building Inspector's salary \$16,000 to \$18,000. The motion was seconded by Councilman Vuola and passed unanimously on the roll call vote.

Council President Croddick moved to provide in the Salary Ordinance a line for temporary, hourly, maintenance employee or employees at the rate of \$2.00 to \$3.00 per hour, the expenditure not to exceed \$6,000 per year. The motion was seconded by Councilman Vuola and passed unanimously on the roll call vote.

Council President Croddick said he felt the amended Salary Ordinance, although ready for adoption tonight, should not be adopted before amended budget. Since the latter requires approval from the Local Finance Board in Trenton, it cannot be adopted tonight. Therefore Mr. Croddick and Mr. Bierman reaffirmed that the amended budget for 1978 and the amended Salary Ordinance would be adopted at the special meeting of April 24th. The adoption of both on that date was the purpose of the Mayor's call for the special meeting and this was confirmed by the Clerk as well as the advertisement under the Sunshine Law.

The meeting was adjourned at 9:01 P.M.

**The Following
Documents are
of
Poor Quality and
Can't be Filmed
any
Better**

MARLBORO

**RESOLUTION NO. 121-78
TOWNSHIP OF MARLBORO
RESOLUTION TO AMEND 1978 BUDGET**

WHEREAS, the local municipal budget for the year 1978 was approved on the 2nd day of March 1978, and

WHEREAS, The public hearing on said budget has been held as advertised, and

WHEREAS, It is desired to amend said approved budget, now

THEREFORE BE IT RESOLVED, by the Municipal Council of Marlboro Township, County of Monmouth, that the following amendments to the approved budget of 1978 be made:

RECORDED Vote
Ayes: Grossman, Klau, Vuola, Craddock
Nays: None
Abstained: None

	From	Absent McClung	To
4. Receipts from Delinquent Taxes			
5. Subtotal General Revenues	\$196,000.00		\$195,000.00
7. Total General Revenues	1,708,898.26		1,707,898.26
APPROPRIATIONS	\$2,851,993.52		\$2,850,993.52
8. (A) Operations within 5% "CAPS"			
Administrative and Executive:			
Other Expenses			
Inspections:			
Salaries and Wages	\$46,500.00		\$45,500.00
Garbage and Trash Removal:			
Other Expenses	35,000.00		33,800.00
Recreation and Education:			
Division of Recreation:	10,000.00		5,645.00
Other Expenses			
Total Operations Within 5% "CAPS"	31,000.00		34,200.00
Total Operations Including Contingent Within 5% "CAPS"	1,999,647.00		1,996,292.00
Detail:			
Salaries and Wages	2,002,147.00		1,998,792.00
Other Expenses			
(E) Deferred Charges and Statutory Expenditures - Municipal Within 5% "CAPS"	1,207,247.00		1,206,047.00
1. Deferred Charges: Prior Year's Bills:	794,900.00		792,745.00
Bernard I. Weinstein, Esq. - 1976 Services			
2. Statutory Expenditures:			
Public Employees' Retirement System			4,355.00
Total Deferred Charges and Statutory Expenditures - Municipal Within 5% "CAPS"	68,000.00		67,000.00
(M) Reserve for Uncollected Taxes	168,771.18		172,126.18
9. Total General Appropriations	228,000.00		227,000.00
BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for his certification of the 1978 local municipal budget so amended.	\$2,851,993.52		\$2,850,993.52

BE IT FURTHER RESOLVED, that this complete amendment in accordance with the provisions of N.J.S. 40A:4-9, be published in the Asbury Park Press in the issue of April 19th, 1978, and that said publication contain notice of public hearing on said amendment to be held at the Municipal Building on April 24th, 1978 at 8:00 o'clock (p.m.)

It is hereby certified that this is a true copy of a resolution amending the budget, adopted by the governing body on the 17th day of April, 1978.

MARJORIE E. CURREY
Acting Township Clerk

PUBLIC NOTICE is hereby given that the above Amendment to the Municipal Budget was introduced and passed on first reading of the Council of the Township of Marlboro, in the County of Monmouth, State of New Jersey, held Monday, April 17th, 1978; and that said Amendment to the Municipal Budget will be taken up for second reading and further consideration and final passage at a meeting of the Council of the Township of Marlboro to be held on Monday, April 24th, 1978, at the Marlboro Township Municipal Offices located on Route 79 and Tennent Road, Marlboro, New Jersey, at 8:00 P.M. or as soon thereafter as the said matter can be reached, at which time and place all interested persons will be given an opportunity to be heard concerning the same.

MARJORIE E. CURREY
ACTING CLERK
TOWNSHIP OF MARLBORO

Minutes Approved: September 14, 1978

Marjorie E. Currey John F. Croddick
Marjorie E. Currey John F. Croddick
Acting Township Clerk Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - SPECIAL MEETING

APRIL 24, 1978

The meeting was called to order by Council President Croddick at 8:00 P.M. After the salute to the flag, the Clerk called the roll indicating attendance as follows: Councilmen Grossman, Klau and Vuola and Council President Croddick answered "Here"; Councilman McClung was absent, arriving at 8:20 P.M. after the meeting had been adjourned but in time for the closed session.

Also present were Deputy Mayor James Newman, Township Attorney Herbert B. Bierman, Business Administrator Mary T. Denton and Acting Clerk Marjorie E. Currey.

The Deputy Mayor read the following Notice of Special Meeting:

"In accordance with the provisions of N.J.S.A. 40: 69-179, I Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a special meeting of the Township Council on Monday, April twenty-fourth, 1978, at 8:00 P.M. for the purpose of (1) adopting the 1978 Budget; and (2) adopting the 1978 Salary Ordinance. This meeting will be held at the Marlboro Township Municipal Offices, Route 79 and Tennent Road, Marlboro Township, N. J. Signed, Arthur Goldzweig, Mayor."

Councilman Grossman introduced Resolution #123-78; a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Vuola.

The Council President said he had a few general comments: that we have worked a long time on this budget, getting it through the State and through the Council. He supports the budget but there are two areas he is not too happy with. The first is the Department of Inspections where he feels we should have employed another individual because we raise quite a bit of money, and we are either going to have to adjust the inspection fees or hire another person. We cannot be charging exorbitant rates and not giving the service. He feels that in the Department of Administration we could have done without one clerk. Otherwise it is a good budget.

Councilman Grossman said some people have asked why we are so late with the final adoption of our budget. He has found that Mr. Tony Angellini, with Local Government Services, was ill for three weeks, and while he was out, no one else knew what to do. That fact has delayed many municipal budgets. He thinks this is the primary reason for the delay down in Trenton.

Council President Croddick thanked Councilman Grossman for the amount of time he spent on the budget, and for the phone calls made to Trenton. Councilman Grossman said he hoped to do better next time by starting in November.

As there was no further discussion, the roll was called indicating adoption of the amended budget by the unanimous vote of the four councilmen present. Council President Croddick's remarks are to be part of the record (see previous page).

Councilman Vuola introduced Resolution #122-78:

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

ORDINANCE #8-78

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Grossman, after which the Council President asked if there was any discussion.

Councilman Klau said he wished to speak. He said the overall Salary Ordinance seems to be in order. However, he takes exception to two items: one is the raise in the Business Administrator's salary; and the other is the increase in the Building Inspector's salary accomplished by giving it a range from \$16,000 to \$18,000, when he now receives \$16,500. The Councilman does not feel the township should give raises when the positions are not filled by competent individuals. He said Council does not have anything to say about who fills these positions at this point. But he thinks Council does have something to say when it comes time for raises. He does not think raises should be automatic just because it is the next year. It is Council's responsibility to review the individual in a particular position, especially when a person has held a position for many years. If Council decides that a person does not deserve a raise, it should not approve it just because the Mayor asked for it and it may be reasonable for the job. Therefore, He stated that he wants to take exception to the Business Administrator's raise and the Building Inspector's raise which he thinks are completely out of line.

The Council President then questioned Mrs. Denton about her plans for the temporary, hourly, cleaning personnel. She said she wanted to hire two people: one to come in after hours daily to dust, empty wastebaskets and ashtrays; the other to do floors and windows when needed. Mr. Croddick asked about the price for doing the floors, and the Business Administrator said she has one person who has done part of the building now. She does not know the cost because she does not know how long it will take to do the job. It will cost more this time because the floors are in such bad condition.

Councilman Vuola said that Mr. Klau's remarks should be answered, both for the public and for the newspapers, since they had been made for the newspapers. He stated that the Business Administrator was not the only one to get a raise. Everyone else got a raise, a general increase, the same percentage. As far as the competency of the Business Administrator, that is Mr. Klau's opinion. He is entitled to that opinion. You cannot prove incompetency at this point. As

for the Building Inspector, he did not get a raise either. He merely got the general raise that everyone else got. There is the possibility that he might get a raise during the year, and rightly so. He is overburdened with work, and we need another person in that office. Therefore, we opted to increase his salary when necessary. The Building Inspector did not get a raise.

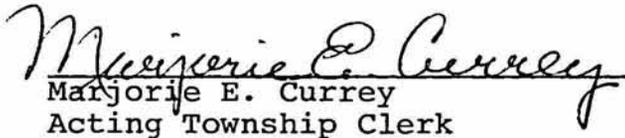
As there was no further discussion, the roll was called. The Ordinance was adopted by the unanimous vote of the four councilmen present. The affirmative vote cast by Councilman Klau was done so with reservations on the two salaries mentioned in his discussion.

Councilman Grossman said he had heard, and thought it worth mentioning, that salary ordinances can be passed under emergency authority. The Business Administrator queried the Township Attorney on this and he said that if Council moved the adoption of the Ordinance as an emergency, the Ordinance would become effective immediately and salaries could be paid on the new basis with the next pay period.

Councilman Grossman then made a motion that the salary ordinance be adopted as an emergency. The motion was seconded by Councilman Vuola and passed by unanimous vote of the four councilmen present.

The meeting was adjourned at 8:19 P.M.

Minutes Approved: September 14, 1978


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

SECTION 2 - UPON ADOPTION FOR YEAR 1978
 (Only To be Included in the Budget as Finally Adopted)

RESOLUTION 123-78

Be It Resolved by the Municipal Council of the Township

of MARLBORO, County of MALDEN that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of

- (a) \$ 1,143,095.26 (Item 2 below) for municipal purposes and
 (b) \$ _____ (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and
 (c) \$ _____ (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

RECORDED VOTE
 (Insert last name)

Ayes	} Crodick Grossman Klan Vuola	Nays	} 0	Abstained	} 0	
				Absent	} McClung	

SUMMARY OF REVENUES

1. GENERAL REVENUES			
Surplus Anticipated	40003-10	\$	260,000.00
Miscellaneous Revenue Anticipated	40004-10	\$	1,258,892.26
Receipts from Delinquent Taxes	41419-10	\$	195,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (ITEM 6(a), Sheet 11)	41415-10	\$	1,143,095.26
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, sheet 36	40010-10	\$	-
Item 6 (b), sheet 11 (N.J.S. 40A:4-14)	41416-10	\$	-
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		\$	-

4. To be added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:

Item 6(b), sheet 11 (N.J.S. 40A:4-14)	41416-10	\$	-
Total Revenues	40000-10	\$	2,850,993.52

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:

Within 5% "CAPS"	XXXXXXX	XXXXXXXXXXXXXXXXXXXX
(a & b) Operations Including Contingent		\$ 1,998,792.00
(c) Capital Improvements		\$ 3,500.00
(e) Deferred Charges and Statutory Expenditures - Municipal		\$ 177,126.18
Excluded from 5% "CAPS"	XXXXXXXX	XXXXXXXXXXXXXXXXXXXX
(a) Operations - All Others		\$ 5,000.00
(a) Operations - State and Federal Programs Offset by Revenues		\$ 154,055.34
(c) Capital Improvements		\$
(d) Municipal Debt Service		\$ 269,442.00
(e) Deferred Charges - Municipal		\$ 16,078.00
Transferred to Board of Education for Use of Local Schools (R.S. 40:48-17.1 and 17.3)		
(f) Judgments		\$
(g) Cash Deficit		\$
(k) For Local District School Purposes		\$
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)		\$ 227,000.00
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		
Total Appropriations		\$ 2,850,993.52

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the governing body on the 24TH day of APRIL, 1978. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 1978 approved budget and all amendments thereto, if any, which have previously been approved by the Director of Local Government Services.


 Margaret E. Curney
 Acting Clerk

Certified by me _____
 This 24TH day of APRIL, 1978.

COUNCIL OF THE TOWNSHIP OF MARLBORO - ^{Regular}~~SPECIAL~~ MEETING

APRIL 27, 1978

The meeting was called to order by Council President at 8:00 P.M. After the salute to the flag, the Clerk called the roll indicating all councilmen present.

Also present were Mayor Arthur Goldzweig, Deputy Mayor James Newman, Township Attorney Herbert B. Bierman, Auditor John Collins, Business Administrator Mary T. Denton and Acting Clerk, Marjorie E. Currey.

The Council President read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and the Daily Register on February 9, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Clerk.

The Mayor gave an Administrative Report, announcing that the WMUA had been given an extension of time on the Morganville Collector System, until May 19th. This shows good faith on the part of the Environmental Protection Administration, the WMUA, and the Township of Marlboro.

He said that our police have added foot patrols in the area of our two parks.

Referring to the results of the audit performed by the Department of Local Government Services on our purchasing practices, Mr. Laezza has written a summary letter on the basis of the inspection made by Allen Olsen. Our purchasing practices are in accordance with the law. Mr. Olsen made some recommendations. One is the elimination of the Council function of approving the bills. Included in the report was a sample form on which the Treasurer could certify that there are sufficient funds to pay the bills. A change in our bidding procedure was suggested: the Business Administrator would receive and open bids during the day so that vendors do not have to come to a council meeting at night. Also, Council should not have to authorize the Business Administrator to advertise for bids. (The Mayor said this is an archaic practice.) If an item is in the budget, then the Business Administrator can go ahead and advertise. Mr. Olsen recommended a part-time purchasing Agent supervised by the Business Administrator. Mayor Goldzweig is pleased with the results of this audit.

The Mayors' Association will hold a tax convention of which Mayor Goldzweig will be the Chairman. There will be a tax assessors' day also. The five per cent budget cap will be discussed. At the end of the day the officials present will vote (on the budget cap). Marlboro's cap was \$97,000 this year. That means that we cannot spend this year more than \$97,000 over what we spent last year. This works a great hardship in some instances. For example, items like snow removal cannot be controlled.

The Mayor passed around various reports: The Status Report on the Budget and Investment Report, and the Mayor hopes all will take the time to look at them.

Citizen's Voice

Saul Hornik:

He is concerned about four matters: (1) whether or not our final zoning ordinance and Master Plan are appealable to Judge Lane. He would like to see Marlboro carry whatever plan they present to Lane to the Appellate Division. He hopes it will be the most conservative possible plan. (2) A request to the Planning Board: he said much confusion at Tuesday's meeting might have been eliminated if the Board had presented past zoning ordinances with the old maps and then the changes being made now.

(3) He asked about the D area north of 520 with regard to the C/E Zone. He wants to know whether Deputy County Clerk Traphagen owns the property there. There is a possibility, the speaker continued, that he is the owner of the 7 Oaks property which is for sale on the north side of Route 520. Council might want to move the line (of the zoning district) back to 520. (4) Mr. Hornik finds it interesting that Arthur Levitt, N.Y. State Controller, today issued a report criticizing practices used by the WMUA. One such practice is overestimating income, just as the WMUA has done. He said that Larry Grossman should be removed from the Authority. He was most emphatic on this point. He said half the Zoning problems of today are the result of the size of our sewer capacity. There is the problem of enabling the people to understand the high sewer rates. They are not caused by the tertiary treatment system, but by the large capacity of the plant. This plant might have been built half its present size.

Dick Previte:

He went to the Clerk's office to check on disclosure statements. He is not familiar with the ordinance governing them, but he learned that many of them are missing. He wonders whether the township can send out a letter to those who have not yet filed their financial disclosure statements so that we may be sure all are filed.

Mayor Goldzweig replied that the ordinance needs some changes. You might think, from the previous speaker's remarks, that a recreation volunteer should file a financial disclosure form. An amended ordinance should list the boards and agencies whose members are required to file disclosure forms, eliminating the sports agencies from the necessity of filing. The Mayor has written a letter which will go to all applicants for all programs in recreation directing them to complete the statements within the next ten days.

Mr. Previte said the schools could eliminate this in the future. He stated that these forms go to the Clerk and it should be incumbent on the Clerk to give them to all people working for the township.

The Mayor replied by saying that matter of disclosure statements does require some change. We need a new ordinance listing the positions for which people must file. Those holding positions in volunteer agencies should not have to file. By definition the present ordinance would include even someone like a volunteer soccer coach. Meanwhile, the Mayor has directed a letter to all appointees of his and of the council telling them to fill out the disclosure forms, and get them on file within the next ten days. Council will have to amend the Administrative Code to accomplish the changes in this ordinance. The statements are the responsibility of the Clerk and must be filed with her. He will recommend in the ordinance change that when someone signs the oath it will be incumbent on the Clerk to hand that person a disclosure form. Unfortunately, most people are not even aware of this ordinance. Those of us who have been in government a long time know about it; and it becomes an issue at least once every year.

The Business Administrator said that the Clerk, being a new Clerk, was not aware that unpaid appointees had to file disclosure forms. She thought only paid employees had to file. Now that she knows differently, she can follow up.

The Clerk stated that some of the paid employees were very casual about filing disclosure forms in spite of the fact that the Clerk wrote several notes to the Business Administrator asking her to turn in the forms she was holding. (The Business Administrator ignored these notes entirely and, although she notarized many of the forms as of January 19th, she did not turn them in to the Clerk until the end of April.)

Councilman Klau said we tend to make a joke of the entire situation. As of today, one Councilman has not filed a disclosure form yet. Last night the Clerk's office had no forms from the Planning Board except from the Mayor and himself. The Councilman thinks it is an outrage. The Planning Board is in process of changing a land use map which will add millions of dollars to the land. Some members own property being rezoned. To have these people violating the law is a shocking thing. The Councilman has asked the Attorney and the Mayor to determine who is the proper enforcing officer; and he wants these Planning Board people to be prosecuted to the full extent of the law. He expects an answer from Mr. Bierman and Mayor Goldzweig.

Councilman Vuola said that Mr. Hornik was using scare tactics on the public to make them think everything is in the hands of the developer. He said Mr. Klau accused the Planning Board of having private sessions when Council also had a private meeting with a developer. To do this at a Council level he thinks is wrong on the part of Mr. Klau. He attended that meeting and Mr. Vuola wonders whether Council had the right to have that meeting, or negotiate with any developers, which he has been accused of doing by Mr. Hornik. Councilman Vuola said he wished to state publicly that any time a developer wanted to sit down with him to negotiate something that would be good for the town he would do so. He said there is nothing wrong with it.

He said Mr. Klau is calling for another of his investigations as he did for an audit of our purchasing practices. Councilman Vuola said that we now have a letter from the State commending us on our purchasing practices. He said this letter lauds the practices of the Business Administrator. It also said Council is doing things which should be done by a Purchasing Agent. Councilman Vuola continued by saying that Councilman Klau now wants an investigation of disclosure forms. He does not know the date of his form but he believes Mr. Klau submitted his form after he (Vuola) did. (Note: Councilman Klau's form is dated January 9, 1978; Councilman Vuola's is dated March 9th and he signed it only after being reminded several times by notes from the Clerk.) Councilman Vuola said that he is annoyed by Councilman Klau's frequent accusations from the Council table.

In summation of his lengthy remarks, he said that some of the Planning Board's forms had been submitted to the Planning Board Clerk, Helen Sona, and they should have been given to the Township Clerk. (Note: Mrs. Sona did not turn over to the Clerk any such forms she may have had.) On April 27th, the day of this meeting, the Clerk received a number of such forms which had not been notarized. These included forms of the Planning Board Chairman and the Planning Board Attorney. The forms of Mel Kenduck and Kate Jackson were dated January 30th and February 1st respectively. These names not being familiar to the Clerk, she mistakenly reported to Councilman Klau on the day of this meeting that only his form and the Mayor's were on file.)

Councilman Klau defended his request for the State audit of purchasing practices by saying it was a routine audit, free of charge, and that we had nothing to lose by requesting it. The State recommended several things we did not know about previously.

There was more controversy which the Clerk does not think it necessary to record. The tapes of the meeting are available.)

The next speaker on the Citizen's Voice was Herbert Gold. He deplors the fact that our new zoning map makes no reference to the preservation of agriculture areas. He asked why the Planner did not get up and explain every aspect of this new map and plan to the public. This would have avoided a lot of the problems and questions that have occurred. He does not see any bikeways on the map and thinks this is a deficiency in a township with so many children. The map makes him feel that cluster development has been discarded. He also feels that the floodgates are open and that our population will triple in a few years. He thinks the plan deficient in not providing for senior citizens sufficiently. He acknowledges that the Planning Board has put in many hours on this map; but he feels strongly about the points mentioned. We should zone the way we feel the town should be zoned, and not be threatened by the courts or what we feel Judge Lane will think of our plan.

Mayor Goldzweig said that roughly 90% of the residential area on the map does call for the Cluster concept. He is not sure we can zone for bikeways. The township did make an application for funds under the Federal Bikeways Program a couple of years ago and was turned down. This program will not be implemented in a rural community such as Marlboro. We include bicycle paths in all our parks. He said that the Planner had explained the other night that you cannot zone for farmland. There is no such zone. The subject of the transfer of development rights was discussed at length the other night. It is a State program on a test basis with only a couple of counties included and Monmouth is not one of those counties. Farmland is not a permissible zone.

The Mayor said we listen to a lot of political comment, but it is rare that we hear any constructive criticism. He mentioned rising sewer rates in Tinton Falls and Holmdel because Mr. Hornik attends the WMUA meetings and wants to remove this person and that. The Mayor said facts do not mean anything to Mr. Hornik; he just wants to chop heads. He said it is time we began to hold people responsible for what they say. He said the inferences and innuendos that took place at Planning Board meeting the other night were shameful because everyone knows only one member owns land other than the $\frac{1}{2}$ acre on which his house is built, and that is Kate Jackson who lives on the 30 acres she has owned for 38 years, proving she is not a speculator.

Councilman Klau said he wanted to answer Mr. Gold factually. He said there is cluster zoning in Marlboro, but 90% of it is in the non-sewered areas, the non-buildable areas. In the sewered areas the buildable areas, it is 90% non-cluster zoning. That is the key: what is buildable and what is not buildable. We are concerned about what is buildable. It averages out well, but when you look at the map you find that in the sewered areas there are 1776 half-acre non-cluster units. That is the number you are looking for. The Councilman has copies of the Planner's sheet for anyone who wishes it. The Senior Citizen's units number anywhere from 1000 to 1500, also with no donation.

The Mayor replied that if Councilman Klau had attended the Planning Board workshop last night he would have known that significant changes were made to the plan. Areas were eliminated. You can eliminate one multi-family zone on route 79. He said Mr. Klau would also have learned that many of these areas listed as not being clustered are clustered; that the Senior Citizen's is clustered. Obviously you can only build where there are sewers because we have an ordinance that fundamentally prohibits development other than on acre and a half lots where there are no present sewers available. A very substantial part of the cluster zone areas will be available. The Planner is doing some of the changes the Planning Board asked for last night. Those (statistics) are being developed by the Planner for his use next Thursday night and will be made available to the public. As our Attorney pointed out, the land use element is done by the Planning Board, and the actual zoning which can change the cluster will be done by the Council.

Councilman Grossman stated that he was disturbed by some of the

personal references made in the controversy. He said that when we sit in caucus or at council table doing the public's business, we are all on a level. He takes strong exception to the fact that someone at the meeting with a developer in litigation talked to the press about what happened at the meeting. This was revealed by an article in the Asbury Park Press. No matter where it came from, this is wrong. His was the only name missing from that story. He was not called, but he would have refused to talk. The developer should object to this. This was in a legitimate private session because it involved the litigant directly. Information from a session should not be discussed outside that room.

He said the origin of our request for an audit of purchasing practices was his suggestion that, rather than pay our auditor, we might save a fee. The Councilman then called John Laezza to ask whether his office did this type of work. Mr. Laezza replied that it did and would do it without charge. He explained to Councilman Vuola (at the time the resolution on the subject was introduced) that it was not an investigation. It was a request that the State review the procedures. He is glad the report came out as it did. It contains some positive recommendations which we will all gain from. He has some other matters which he will discuss privately with the administration.

Councilman McClung said he would be remiss in not commenting on the report from Mr. Laezza's office. He said Councilman Klau's effort to reduce the Business Administrator's salary by \$5,000 shows that he does not know what is happening in township government. He enumerated the positive points in the report from the Division of Local Government Services. He stated that the Business Administrator was not only following the letter of the law but was doing it meticulously. He believes that the councilman who suggested that her salary be reduced owes Mrs. Denton a public apology.

Councilman Vuola introduced Resolution #124-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Perry's II Trophy Company of Manalapan 1000 Building, Route 9, Manalapan, New Jersey 07726, be and are determined to be the lowest responsible bidder covering the following work, labor and/or materials:

- First place trophies (see specifications attached): \$4.50
- Second place trophies (" " "): \$4.10
- Third place trophies (" " "): \$3.90
- Fourth Place trophies(" " "): \$3.70
- Medals (" " "): \$1.35

Baseball Trophies (see specifications attached):				\$8.00
Plaques	"	"	"	\$5.00
Patches	"	"	"	.75

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to:

Perry's II Trophy Company on their bids as stated above.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman McClung and adopted unanimously by roll call vote.

Councilman Klau introduced Resolution #125-78:

WHEREAS the Business Administrator of Marlboro Township has previously advertised for open, competitive bids for bussing service, and for Baseball, Softball, and Soccer Equipment; and

WHEREAS no bids were received with regard to said work, labor and/or materials;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Business Administrator of the Township of Marlboro be and she is hereby authorized to re-advertise for open, competitive bids for the aforementioned work, labor and/or materials as required by law.

Seconded by Councilman Vuola and adopted unanimously by roll call vote.

Councilman McClung introduced Resolution #126-78:

BE IT RESOLVED that L.D. Seely Company of Ocean, New Jersey, be and is determined to be the lowest responsible bidder covering the following work, labor and/or materials:

ASPHALT PAVER

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to: L.D. Seely Company on their low bid of \$21,500.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman Grossman and adopted unanimously by roll call vote.

Councilman Grossman introduced Resolution #127-78:

WHEREAS, Marlboro Estates has, pursuant to law, deposited certain Performance Bonds with the Township of Marlboro in connection with the construction of the subdivision known as Marlboro Estates.

<u>BOND</u>	<u>AMOUNT</u>
908912	\$4,033.05
908915	\$2,999.20

WHEREAS, Marlboro Estates requested a release of the above mentioned performance bonds pursuant to N.J.S. 40:55-1.22; and

WHEREAS, pursuant to said statute, upon receipt of the request by Marlboro Estates, the Township Council directed that a complete investigation and report be prepared by the Township Engineer within the time permitted; and

WHEREAS, the Township Engineer has reported to the Mayor and Township Council in connection with the necessary improvements within the subdivision known as Marlboro Estates;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the request by Marlboro Estates for a release or reduction from liability under the above-mentioned performance bonds is granted and the bonds shall be released or reduced as follows:

<u>BOND</u>	<u>ACTION RE. BOND</u>
908912	Shall be reduced to -0-
908915	Shall be reduced to -0-

2. That the Township Clerk is authorized and directed to forward a copy of this resolution to Marlboro Estates.

Seconded by Councilman McClung and adopted unanimously by roll call vote.

Councilman Vuola introduced Resolution #128-78:

WHEREAS, a continuing problem concerning the dedication and location of a roadway in the Township of Marlboro known as Collier Lane has come before the Zoning Board of Adjustment and the Township Council; and

WHEREAS, the Township Council desires to resolve the problem so that the various landowners adjacent to and in the vicinity will no longer find a cloud upon title to their land; and

WHEREAS, one of the landowners has agreed and caused a survey to be made at his own cost and expense so that the location of Collier Lane can be fixed and determined.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro accepts the dedication of lands and premises known as Collier Lane as shown on a sketch known as Beacon Hill Road and environs which is made a part hereof as though attached hereto.
2. That upon approval of the above-mentioned sketch by the Township Engineer the landowner is authorized and directed to arrange for the filing of said sketch with the Monmouth County Clerk so that the location of Collier Lane is fixed and determined and accepted by the Township of Marlboro.
3. The Township Clerk is authorized and directed to forward a copy of this Resolution to the affected property owner as well as the Zoning Board of Adjustment.

Seconded by Councilman McClung and adopted unanimously on the roll call vote.

Although Resolution #130-78, introducing Ordinance #11-78 (Road Bonding) was on the agenda, action had to be postponed until such time as the Local Finance Board could meet with Township representatives and approve an extension of credit.

Councilman Klau introduced Resolution #131-78: a copy of which is attached hereto and made a part hereof. This is the bulk of the general bill-paying and it was seconded by Councilman Vuola and adopted on the roll call vote as follows: Councilmen Grossman, Klau, Vuola and Council President Croddick voted Aye; Councilman McClung abstained.

Councilman Grossman introduced Resolution #132-78, a small bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on the roll call vote. This was separate from the bill-paying which preceded it because it had to await the approval of our budget.

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
P.E.R.S.	Employ. Pay. Deduct.	3,020.87	17194
P.E.R.S. Contrib. Gr. Ins. Prem. Fund	" " " " "	456.66	17195
Unemploy. Ins. Trust Fund	" " " "	1,453.14	17196
Twsp.of Marl. Net Pay Acct.	Net Pay Exchange	36,240.65	17197
C.J.B.T. (F.I.T.)	Employees Pay. Ded.	6,228.47	17198
Wickatunk Postmaster	Recreation 26.00 Shade Tree <u>52.00</u>	78.00	17199
Mrs. Arlene Robinson	Pub. Bldgs. & Grds.	110.00	17219
Public Assistance	Public Assistance	90.00	569
N.J. State Dept. of Health	Dog License a/c	53.00	1532
John Kuvikow	Bldg. Trust Fund	70.00	74

Total: 47,800.79

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Morganville Fire Dist. #3	Fire Dist. #3	19,080.00	
A. & P.	Admin. 51.75 Drug.Alco. <u>51.12</u>	102.87	
Automation Paper Co.	Administration	89.40	
Asbury Park Press, Inc.	" "	199.12	
Bureau of Gov't. Research	" "	10.00	
Central Mall Stationers	" "	13.95	
West Publishing Co.	" "	75.00	
M.F.O.A. of N.J.	Finance	30.00	
Harry Frank-Printer	Tax Collector	48.75	
Herbert B. Bierman	Legal	275.53	
R.S. Knapp Co.	Engineer	41.54	
B. & I. Locksmith	Pub. Bldg. & Grds.	5.20	
Alexander Heller Haserot Inc.	Planning Bd. Master Plan	3,500.00	
Bayshore Stationers	Police	100.32	
Camera Showplace	"	35.20	
Div. of State Police	"	125.00	
Englishtown Sporting Goods	"	240.00	
Franklin's Garage	"	9.90	
Base Automotive Supply	"	96.00	
General Office Supply Co.	"	157.54	
Det. Robert Holmes	"	15.00	
Joseph A. Mazzeo	"	116.35	
N.J.State Juvenile Aid Officers Assoc.	"	5.00	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
N.J. State Police Training Center	Police	50.00	
William Quinn & Son	"	363.78	
Mat-Key Press Inc.	Inspections	24.00	
Edward Savoie, Const. Official	" "	10.50	
Kenneth Miller	Highway Safety	5.50	
Garden State Equip. Supply Co.	Sts. & Rds.	2,000.00	
K.L.K. Trucking Co. Inc.	" " "	1,308.38	
Lyncar Corp.	" "	1,548.17	
Millhurst Mills, Inc.	" "	15.00	
Chas. Schaefer Sons Inc.	" "	2,550.50	
Top Hat Uniform Rental	Sts. & Rds.	419.25	
. & B. Auto Radiator & Glass	Equip. Maint.	169.50	
Bayshore Bandag Tire	" "	398.77	
Colots Service Inc.	Equip. Maint.	237.00	
Imperial Oil Co. Inc.	" "	177.10	
Matty's Auto Parts, Inc.	" "	554.21	
Power Crimp Industries, Inc.	" "	119.99	
Red Bank Spring Service	" "	45.55	
Sprague's Oil Service Inc.	Equip. Maint.	4,786.44	
	Utilities	<u>374.39</u>	5,160.83
Monmouth County Garden Center	Grds. Maint.		6.00
Taylor Rental	" "		15.75
J.C.P.L.CO.	Utilities	668.99	
	St. Lighting	<u>365.74</u>	1,034.73

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
N.J. Bell	Utilities	954.54	
Assoc. Humane Societies	Dog Regulations	488.85	
Everlast Supply Co.	Library	46.79	
	Pub. Bldg. & Grds.	<u>46.79</u>	93.58
Lynn Equipment Co.	B.O. 10-77	3,478.00	
Taylor Fence Co. Inc.	B.O. 3-74	12.00	
Cardell, Inc.	B.O. 12-71	9,017.21	
	State Road Aid Approp. Reserves	<u>11,192.37</u>	20,209.58
Abbingtion-Ney Associates	B.O. 12-71	2,525.00	
TOTAL:		68,347.73	

OFFERED BY:

AYES:

SECONDED BY:

NAYS:

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

RESOLUTION # 132-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Norman B. Kauff, Attorney	Bd. of Adjust. Contractual Fees	308.50	
Jacob Emmanuel, Inc.	Insurance	11,024.59	
Bernard I. Weinstein, Esq.	Prior Years Bills	4,353.73	
	Total:	15,686.82	

OFFERED BY: Grossman

AYES: 5

SECONDED BY: Vuola

NAYS: 0

Marjorie E. Currey, Acting Township
Clerk



John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

Councilman McClung introduced Resolution #133-78, Swim Club bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Vuola introduced Resolution #134-78, Municipal Complex bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #135-78:

WHEREAS, in connection with the construction of the Municipal Complex and Police Headquarters an unforeseen water problem has been encountered as described in the report of Witthoefft & Rudolph Architects, dated April 19, 1978; and

WHEREAS, the project inspector has recommended a change order based upon the facts as described in the above-mentioned report; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and will be carried out; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council and the General Contractor, Dan McCarron & Son, are authorized and directed to enter into a contract for the work, labor and materials described in the report of Witthoefft & Rudolph Architects, dated April 19, 1978, addressed to Mr. Emanuel Milstein, Project Inspector, for the sum of \$3,721.00.
2. That all of the terms and conditions of the original contract between the Township of Marlboro and Dan McCarron & Son, shall remain in full force and effect.
3. That this Resolution upon acceptance by Dan McCarron & Son, shall become a written agreement between the parties and shall form a part of the above-mentioned General Contract.
4. The Township Clerk is authorized and directed to forward a certified copy of this Resolution to Dan McCarron & Son with instructions to execute same and return to the Township Attorney's office promptly.

RESOLUTION # 133-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Lawn A Mat of Freehold	Swim Pool	770.00	
N.J. Bell	" "	1.60	
Arthur Wilner	Membership Refund	150.00	
	Total:	921.60	

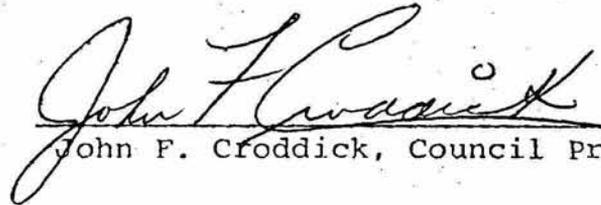
OFFERED BY:

AYES:

SECONDED BY:

NAYS:

Marjorie E. Currey, Acting Township
Clerk



John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are
available sufficient appropriated funds for the purpose of this
resolution.

Date

Treasurer

April 27, 1978

RESOLUTION # 134-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Emanuel Milstein	B.O. 20-77	2,400.00	
	Total	2,400.00	

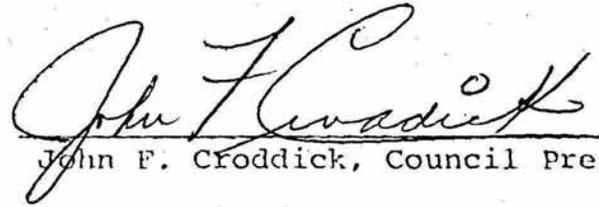
OFFERED BY:

AYES:

SECONDED BY:

NAYS:

Marjorie E. Currey, Acting Township
Clerk



John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

Seconded by Councilman Grossman. There was lengthy discussion in which Councilman McClung said that obviously we did not contract to build a building with a wet basement or with water in the cellar, He moved to table this resolution and Councilman Vuola seconded the motion. He objects to the change order for \$3,700, He does not think the plan will take a lot of water away from the building; and he said every time we build and the contractor knows there is contingency money, he comes in with a change order. Councilman Vuola does not want the Township Engineer involved with the project, He wants a better explanation for spending that money, He thinks the contractor would be forced to make a dry basement,

The Council President said this matter was brought to his attention by Mr. Milstein who is on the site every day. It is his opinion that water should be drained away from the footings, away from the building so as to avoid having a wet basement. The architect wrote to the Council. It is a problem. Two paid experts state that it is a problem. The trenches are open at this point. If they put up the block and we get an inch of water on the floor, it will cost \$30,000 to dig up and put in drains then.

Councilman Vuola said he is not criticizing the architect or Milstein. But he wants the contractor to attac this water problem because he bid the job.

Councilman McClung echoed the sentiments of Councilman Vuola, saying that the test borings originally taken, there appeared to be no problem. He thinks the builder is responsible. He does not think we have enough information to make a decision on this.

Councilman Klau thinks we must rely on professional help. Since the Marlboro Acting Company will be rehearsing there and we designed the area to be a useable basement, he believes the change order must be adopted.

Councilman Grossman asked whether time was of the essence, and the Council President said it was. Councilman Grossman then said he thinks Council must move on the change order.

The motion to table was defeated by the following roll call vote: Councilmen Grossman, Klau and the Council President voted Nay; Councilmen McClung and Vuola voted Aye.

The Council President called for the vote on Resolution #135-78: It was adopted on the roll call vote as follows: Councilmen Grossman, Klau and the Council President voted Aye; Councilmen McClung and Vuola, Nay.

Councilman Grossman introduced Resolution #136-78 (Ord. #12-78)
(Speed Limit on Hawkins Road):

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

"AN ORDINANCE FIXING A SPEED LIMIT ON
HAWKINS ROAD IN THE TOWNSHIP OF MARLBORO,
COUNTY OF MONMOUTH, NEW JERSEY"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on May 25, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Seconded by Councilman Mc Clung and adopted by unanimous roll call vote.

Before the vote was taken, Councilman Grossman said the ordinance was in response to public complaints about the speeding, the noise, the vandalism in and around Hawkins Road Park. The extra foot patrols which the Mayor referred to earlier are needed in this area.

Council President Croddick said he has a letter from Councilman Vuola on the subject of the Morganville sewer project. The question is whether the MUA could possibly undertake this. Mr. Eisner will meet with Mr. Gillen of Schoor Engineering tomorrow. It is estimated that service would cost \$415 per year and that there would have to be a hook-up charge of \$1500 per family. The Council President said he has discussed this matter with Mr. Bierman and it will be discussed again at our meeting of May 1st (Monday) when the Council will also take up the subject of zoning.

Mayor Goldzweig said that the \$10 the WMUA has cranked in is the additional burden on the non-Morganville customers in Marlboro and Manalapan. He suggested that Council authorize its auditor to consult with Mr. Gartz so that a determination can be made as to what it would cost if the Township took on the project. We should have the figures available: what the charges would be if the construction were done by the MUA, or the WMUA or the Township of Marlboro.

There was some general discussion of the special meeting to be called for May 1st and Mr. Bierman reminded the Clerk that a Sunshine Notice must be sent out including as subjects for the meeting (1) The Morganville sewer project and (2) Zoning. The Council President inquired whether the meeting was to be open or closed as far as the zoning portion is concerned and Mr. Bierman said it must be open.

Councilman McClung asked Mr. Bierman how many votes are required to adopt the zoning ordinance on first reading. Mr. Bierman said that passage both on introduction and on second reading takes a majority of the membership of the Council.

The Township Attorney brought up the matter of a grant-in-aid of \$6,500 from the State originally procured for Route 520 and never spent. By means of a resolution this money can be transferred to Lloyd Road. Mr. Bierman, at the request of the Council President, wrote the appropriate resolution which was by consensus added to the agenda.

Council President introduced Resolution #137-78:

WHEREAS, under N.J.S. 27:13A-1 et seq. the State of New Jersey has heretofore given the Township of Marlboro a Grant-In-Aid for the construction and reconstruction of Newman Springs Road; and

WHEREAS, it is the intention of the Township Council to use and implement the funds available in the amount of sixty-five hundred dollars (\$6,500.00) for the completion of Lloyd Road reconstruction:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Grant-In-Aid in the amount of \$6,000.00 shall be transferred and assigned to use on the Lloyd Road project;
2. That a copy of this Resolution shall be forwarded to the New Jersey Department of Transportation.

Seconded by Councilman Vuola and adopted by unanimous roll call vote.

Councilman Klau asked a question about the Brookside Circle bonds. Mr. Bierman said he is moving against those bonds.

Councilman Grossman brought up the resolution passed by Council releasing the bonds of Marlboro Estates. He said he has just noticed the final sentence in the Engineer's report, namely, that he recommends release of the bonds subjecting to the posting of a maintenance bond. Mr. Bierman informed the councilman that the requirement to post a maintenance bond is in the ordinance and therefore did not have to be mentioned in the Council resolution.

Public Session

John Batton has consulted the Public Advocate with regard to the Morganville sewer system. The Public Advocate spoke to the Department of Environmental Protection which said the grant is still available. Mr. Batton wanted confirmation of this which he obtained from both Council President Croddick and Mayor Goldzweig: that the grant is available until May 19th. The Mayor believes that if DEP sees some activity on our part they will even go for

another extension. He said we are fighting as hard as we can to keep the grant and knock out Manalapan's appeal against the project. We will be in court tomorrow. EPA made it very clear that they will not hold the grant open and watch the suit run two or three years down the road.

Saul Hornik made some suggestions about zoning the property surrounded by Crine Road, Route 520 and Gordon's Corner. He repeated his opposition to Larry Grossman's remaining a WMUA commissioner. All the original commissioners should be removed.

An unidentified man asked a question on the Master Plan. He and his neighbors question Zone D and the straight half-acre within that zone. He said nobody realizes that Judge Lane has no interest in the housing to go into that area. We do not understand why there is no cluster zoning in the D zone. He also said that if Chairman Portnoy had polled the Planning Board on the night of April 25th that would have ended the discussion of any possible conflict of interest on the part of one Planning Board member who owns land.

The Mayor answered the farm question and the question about the D zone. Part of the thinking is Judge Lane's decision. He asked the audience not to think that half-acre is a very small lot size. The Judge was critical of that in his written opinion on our zoning and so was the Appellate Division. Part of the thinking also is the amount of land the township would own. And what would happen if the township were to own substantial parcels of land in the next four or five years. Would we then be compelled to construct on that land low-income housing. It is a significant question. Part of the decision orders us to create a Housing Authority about which very little has been said. We have tended to wish this away.

With regard to Chester's Horse Farm to which Mr. Hornik had referred, the Mayor said it can remain a farm forever as long as the owners do not sell it. You do not have to zone a farm. It stays a farm until somebody decides he wants to do something with that land.

The Council President said the zoning map is under the jurisdiction of the Council. If the Planning Board want to go for half-acre in a certain spot and if Council decides it should be 30/20, the latter is what can be built there.

Marilyn Hirschberger asked where on the map are the low income housing areas. Mayor Goldzweig said Areas denoted F.

The public Session ended at 10:12 P.M.

Councilman Vuola said he wanted to poll the Council as to whether they want to go into closed session after this meeting. The Council President said that O'Hagan had been invited and it was too late to poll the Council. Councilman Grossman noted that the closed session involves conversation with a litigant, and he is concerned about publicity. Councilman Vuola said that, for the benefit of Council, he would repeat his remarks regarding a closed session: he thinks it is wrong to have one although it is perfectly legal. It was voted unanimously to go into closed session.

The Council President announced that the findings of this closed session will be announced no later than May 8th.

The meeting was adjourned at 10.25 P.M.

Minutes Approved:

September 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - SPECIAL WORKSHOP
MEETING

MAY 1, 1978

This meeting was convened in accordance with the following notice:

April 27, 1978

Pursuant to the requirements of the Open Public Meetings Act, notice is hereby given that a Special Workshop Meeting of the Township Council of the Township of Marlboro has been called for 8 P.M. on Monday, May 1, 1978, at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, for the purpose of discussing the following items:

1. New Zoning Ordinance
2. Morganville Collector System

Signed:

"John F. Croddick"
Council President

cc: All Councilmen
Asbury Park Press
The Daily Register
Colonial News-Freehold Transcript
The News-Tribune

The following day, the Council President instructed the Clerk to send out another notice which read:

April 28, 1978

Pursuant to the requirements of the Open Public Meetings Act, notice is hereby given of an addition to the Agenda of the Special Workshop Meeting called for 8 P.M. on Monday, May 1, 1978, at the Marlboro Township Municipal Offices, Route 79 and Tennent Road:

3. Resolution to rectify erroneous published reports of Township Council Meeting of April 24, 1978.

Items 1 and 2 are included in the original notice of this meeting dated April 27, 1978.

Signed:

"John F. Croddick"
Council President

cc: All Councilmen
Asbury Park Press
The Daily Register
Colonial News-Freehold Transcript
The News-Tribune

The meeting was called to order by the Council President at 8:20 P.M. in the Planning Board Room.

Those present were Council President John F. Croddick, Councilmen Hyman C. Grossman, Howard Klau, C. Douglas McClung and Richard Vuola, Township Attorney Herbert B. Bierman, Mayor Arthur Goldzweig, Acting Clerk Marjorie E. Currey and (intermittently) Deputy Mayor James Newman.

The Land Use Map was on the south wall of the room. The Council President worked from the map, indicating the zone to be discussed in connection with the new zoning ordinance which the Township must adopt by the court-dictated deadline of May 23rd.

The zones were considered in a geographically convenient order starting with S (Land Conservation) and continuing with R (State Hospital), A (two-acre), D, G (trailer park), M (commercial and industrial), F, J-D, M, O, I, J, K, L, NM, B, C/H, C/E, etc.

All zones were considered in detail, with changes being proposed which would determine the map on which the new zoning ordinance is to be based.

As the in-depth discussion progressed, Mr. Bierman reminded the Council that there are two determinations to be made in the case of each zone. First, the use to which the land can be put; and, second, the number of units which can be built on that land.

As part of the necessary changing of the map, the Council President outlined a proposed settlement with Prime, Feather and Down. It was this developer's suit against the Township which resulted in Judge Lanà's decision that Marlboro must revise its zoning to provide for multi-family housing. (The developer is not now in court with Marlboro on this matter.) The suggestions made by the Council President are as follows:

1. Return the "Lane" piece to 2 dwelling units to the acre.
2. Southwest of that, on 97 acres, Senior Citizens Townhouses, 8 to the acre.
3. Another contiguous piece, two dwelling units to the acre.
4. The long D piece of 39 acres is in litigation now.
5. A D zone of 35 acres, two dwelling units to the acre.

6. H zone of 35 acres, four dwelling units to the acre.

7. 15 acres, commercial.

The Council President said that the total units in all pieces comes to 1552. This is just Shipper's property. Of these, 8 units x 97 acres would be the town houses for Senior Citizens; and there would be 600 other units of single family houses. There would be no apartments and that would be the settlement.

The Council President said that another plan might be to take out the U. S. Home Senior Citizens units and make that land all 3/4 acre with a small industrial area. That would settle your court case. He emphasized that we are late with the Master Plan and we have a zoning ordinance to adopt. He asked Mayor Goldzweig what he thought.

The Mayor said that Council can settle its suit, but U. S. Home has invested \$18,000 in its application and if you make that zone a C zone they would immediately go to court. If we can do something for U. S. Home, we buy off an immediate court case.

Councilman Klau said he would leave the map as it is, without the changes suggested tonight, except for the F zones and the trailer parks. He stated that Judge Lane is not talking about down-zoning from 1½ acre to 3/4 acre.

The Mayor asked what we are buying with this offer to Prime, Feather and Down.

The Council President said his plan gets rid of garden apartments which no one seems to want in Marlboro. And it leaves us with fewer units than otherwise.

Councilman McClung said he wants zoning which is in the best interests of the township. He stated he is reluctant to comment on any settlement.

Councilman Klau asked for an explanation of a recent article in the Bay Shore Independent saying that Irwin Shippers would be happy with twenty-seven hundred units if Council would settle.

Mayor Goldzweig again questioned what Council is buying with a settlement.

Councilman Grossman said he did not speak to reporters when they called him after the April 24th meeting; and he does not think any member of Council should have done so.

The Council President said again that his plan of settlement would get rid of garden apartments. He believes that if the map is left as it is we will be back in court with Prime, Feather and Down, and, this time, they will get what they want.

Mayor Goldzweig agreed that we would get sued again.

The Council President said that he knows what he has when he makes a settlement.

Councilman Grossman asked about the C/E zone which is still open, as he sees it. Councilman Klau suggested it should be left C/E so U. S. Home can rezone it.

The Mayor reiterated that he does not understand the reason for making an offer to Prime, Feather and Down.

Council President Croddick said the reason is Judge Lane, who will say the township did not do enough to comply with his decision. He may then hire a planner to rezone the town. Or he may make us issue building permits on the 39 acres.

Attorney Bierman said that 39 acres was severed from the case. When we adopt the new zoning ordinance we have to bring it to Judge Lane.

The Council President said he thinks his plan is the best settlement that can be made for this town, along with the map. He does not want to go back to Judge Lane, who may disappoint Marlboro.

The Mayor then asked what we are going to do with the next developer who wants to build apartments.

Councilman Grossman said he thinks Council has done something meaningful with the units suggested tonight: straight half-acre, four to the acre lots and multi-family zones. He said we should take a chance and defend the map. It is a risk every time you go back to court.

Mr. Bierman said that Judge Lane wants testimony or a hearing on the application of his decision to an entirely new map. This map will not stand up under that decision. We will have to appeal. A settlement will not buy very much time.

The Council President said he would poll the Council again.

Councilman Klau asked what other plan of settlement might get three votes if this one does not.

The Mayor said that if Council is talking about this map as changed tonight plus Shippers' settlement, as another proposal, there is nothing to be gained by settling with Shippers today. "Make him file a suit before giving him a settlement. It is a tragic error to give one developer 1550 units."

Council President Croddick said that he understands the Mayor's point of view, and he polled the Council again.

Councilman Klau said that Council should try to decide whether there are any conditions under which we might settle, in the event the feeling is not to proceed with this particular settlement,

The Mayor said "you don't have a suit to settle because Shippers is out of court."

The Council President wanted to poll Council again, but Councilman Vuola said he had a problem. He said that if we accept a settlement, Howie Klau will have to be given into on the rest of the map. "Let's say I agree with this proposal. If it doesn't get 5 votes, the settlement is out." Councilman Vuola said he was happy with the rest of the map, but not happy with the Shippers settlement. "The rest of the map stays even if the Shippers part is not agreed on by 5 Councilmen. It takes 5 votes for settlement."

Councilman Vuola concluded his remarks by saying that no information on tonight's meeting should be released to the public, whether or not a settlement is agreed upon.

The Mayor said he is in accord with this position. He said if you tell the public part, then you have to tell them all,

Councilman Grossman said that if there is no settlement, he will say that we did have a meeting of the minds, but give no details. If we agree now, I will say nothing.

Mr. Bierman said that if Prime, Feather and Down is not satisfied with out new zoning ordinance, they will have to file a new suit. The time to file in the Circuit Court has expired. "At the present time, there is nothing before the courts."

Councilman McClung asked what point there is in settling.

The Council President replied that if we make a settlement, there is one developer who will not take us to court again.

Councilman Grossman stated that he would like to change the C/E zone which is now 202 acres of 1½ acre lots and 100 acres permitting 4 to 6 dwelling units per acre. He would advise cutting back on the Senior Citizens acreage. He said he thinks U. S. Home wants to build Senior Citizen housing and we should give them some, perhaps five or six hundred units.

Councilman Klau said U. S. Home is not the kind of developer to build on small acreage. "They are big guys."

Councilman Grossman said he would leave the zone all ¾ acre.

The Mayor said he thinks the plan for the map is a hodge-podge; that the flow is not good. He does not understand why we should settle. This offer can always be made in the future.

There was further discussion of the C/E zone, the B zone and the P or public zone.

There was further discussion of some kind of settlement and Councilmen McClung, Vuola and Klau are against it.

At 11:07 P.M., with the meeting still closed, Council President Croddick said it is his personal opinion that we would be better settling. He will not say what the details of the proposal from the developer were.

Councilman Grossman asked the Council President not to talk to reporters. He said Council has to be together 100% without saying anything outside this room.

The Council President said again that settlement would be better in his opinion.

Councilman Grossman said he does not want him to make that comment.

Mayor Goldzweig agrees that nothing should be said.

Councilman Grossman wishes all members of Council would agree not to say anything.

The Council President then asked Mr. Bierman to call Mr. Shippers and his attorney, Mr. O'Hagan.

At 11:12 P.M. several reporters, who had not been permitted in the room, were informed they could come in.

The zoning discussion continued. Someone suggested the P zone owned by the township might be changed to a farm zone. Mayor Goldzweig said the township can rent the land because there is no place to go anymore. It keeps some rural atmosphere in that area. The land is on both sides of Route 520. The municipal acreage might be rented out to neighboring farms.

The Council President wants this area 30/20, picking up about 50 acres of farm land.

The Mayor is against utilizing large pieces of property. He thinks D useage would be better than what we are proposing. He said Council should not make a development non-conforming lots.

Councilman McClung said some kind of commercial area should be included in the southern part of the township where you cannot build or farm.

The Deputy Mayor suggested making the front of Route 9 commercial and part residential.

Councilman Vuola said that some pieces of property go deeper than others and you are limiting the depth on Route 9. Route 9 is our only real commercial area. He said Council must not cut off the possibility of a decent ratable because of lack of property line. That is the only place we have a tax ratable.

Both Councilman Vuola and Councilman Klau suggested a C for the area along Route 9.

Mr. Bierman said that a major discussion must be held, with the planner in attendance. This is most important when you talk about what you will allow in each zone. He suggested working here Thursday night.

The Mayor said the problem now is getting into definitions.

Councilman Grossman said that Howard Schoor can tell Council whether or not the western F zone is in the Middlesex watershed,

Councilman Vuola said the C zone against Madison Township does not please him. There are three big parcels right on the highway.

The Council President said there is no sewer there. He added that someday there will be a sewer line and a developer will come in with garden apartments. He suggested making it 3/4 acre so that a builder will be tempted to bring in sewers. But he is afraid the elevation there will make that impossible.

Councilman Vuola said he does not want apartments there on the highway.

The Council President divided the C zone above referred to,

Councilman Klau said that the Council must talk about the F zone on Route 18 and the F zone on Texas Road.

The Mayor said that if the map is set, Council does not need anything for the Planning Board. He then asked the Clerk to be sure John Heller is informed of our meeting on Thursday night.

The new zoning ordinance will be introduced on May 8th at a special meeting called by the Mayor specifically for that purpose.

Councilman Grossman briefed the Council on the financing of the Morganville Collector System. He gave each member a copy of a letter on this subject.

The meeting was adjourned at 11:50 P.M.

Minutes Approved:

April 26, 1979

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - SPECIAL MEETING

MAY 8, 1978

The meeting was called to order by Council President Croddick at 8:00 P.M. After the salute to the flag, the Clerk called the roll, obtaining the following responses: Councilmen Grossman, Klau, Vuola and Council President Croddick were present; Councilman McClung was absent.

Also present were Mayor Goldzweig, Township Attorney, Herbert B. Bierman, Business Administrator, Mary T. Denton, and Acting Clerk, Marjorie E. Currey.

The Mayor read the following Notice of Special Meeting:

"In accordance with the provisions of N.J.S. 40A: 69-179, I, Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a special meeting of the Township Council on Monday, May 8, 1978, at 8:00 P.M. for the purpose of introducing a new zoning ordinance. This meeting will be held at the Marlboro Township Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey. Signed, Arthur Goldzweig, Mayor."

Copies of this notice were sent to all councilmen, the Asbury Park Press, The Daily Register, the Colonial News-Freehold Transcript and The News Tribune.

Council President Croddick introduced Resolution #138-78:

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

AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF LAND: PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATION IN THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on May 22, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

The Resolution was seconded by Councilman Grossman. The Council President then asked for discussion. Councilman Grossman said that this was the introduction of the new zoning ordinance pursuant to the deadline designated by the court of May 23, 1978. In order to meet that deadline, the ordinance must be adopted on May 22, 1978. The public will be heard again, as indicated in the introductory resolution. Consideration will be given, at the public hearing on May 22nd, to additional public input. We have had a considerable amount of input already, through our own discussions, as well as Planning Board discussions. We have worked diligently and under difficult and trying circumstances to reach this point. I think we are ready to move this forward; I think we have met the legal requirements of the court order. I think this will move Marlboro ahead of other towns which still face potential problems with their zoning. "Thank you, Mr. President."

Council President Croddick asked whether any other member of the council wished to speak and Councilman Klau said he did. He said he thought council had a lot of work to do between now and the 22nd in reviewing the specifics of the ordinance we are receiving tonight. The specifics are very important in implementing this, such as all the intricate details of the zoning ordinance. He continued that he thinks everyone should sit down as quickly as possible, in their own privacy, and go through this in great detail, for possible changes at the 22nd meeting. He said he is glad that some of the changes council asked the Planning Board to make were made. For example, the maximum 1200 units in the Senior Citizens zone has been reduced to 600. He said we could still change it back to the four hundred that was originally advised. "I think for purposes of introduction, we have to get this on the table and advertized and take some more hard looks between now and the 22nd. That will be our last chance to make changes. I have a few changes I'm wrestling with in my own mind, and between now and the 22nd we have a lot of work to do, Gentlemen."

Councilman Vuola asked for recognition by the Chair and said it is not too often that he agrees with Mr. Klau but that he does wholeheartedly now. He is disturbed by what has been happening, for instance at last Monday's caucus meeting. He said he was called to a caucus meeting to discuss a zoning ordinance; and he found himself at a public hearing discussing a map. He thinks we wasted an entire evening. There were many residents there concerned about the map. However, he stated, the meeting was not for the purpose of the map. A caucus meeting, according to the Faulkner Act, is conducted by the council, with no participation from the audience, so that it may accomplish a workshop session, which it did not do. What we did was to rehash the entire map for the residents. I am sure they appreciated it. However, that really was not the place for it. We spent a whole evening not accomplishing what we came there to do, which was to write a zoning ordinance, not to rectify a map. The map could have

been rectified during the first half-hour of our meeting. We spent the next two and one-half hours explaining it. The councilman thinks there is much work to be done, whether it is at one meeting, or at a series of meetings, between now and May 22nd. He said it is our job to put into the zoning ordinance the necessary restrictions to protect that particular map. It is fine to say that is a half-acre; but what is missing is going through the zoning ordinance and putting in the restrictions that will stand up before the Zoning Board of Adjustment and the law.

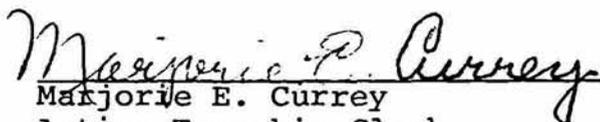
Before the roll call vote was taken on this ordinance, Councilman Grossman had a statement for the record: he said he wanted to explain to the public that any ordinance adopted would have to conform to the Planning Board Land Use Map. We really did not have a Planning Board Land Use Map until last Thursday. "I Just want that to be indicated in the record."

The roll call vote was as follows:

Councilman Grossman - Yes
Councilman Klau - Yes
Councilman Vuola - Yes
Council President Croddick - Yes

The meeting was adjourned at 8:20 P.M.

Minutes Approved: September 14, 1978


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

MAY 11, 1978

Council President Croddick called the meeting to order at 8:00 P.M. After the salute to the flag, he read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Daily Register on February 9, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Clerk.

The Clerk called the roll indicating that Councilmen Grossman, Klau and Vuola and Council President Croddick were present; and that Councilman McClung was absent.

Also present were Township Attorney, Herbert B. Bierman and Acting Clerk, Marjorie E. Currey.

Citizen's Voice

Carol Abaya of 46 St. Lawrence Way, read a letter which she had written to members of council in her capacity as President of the Marlboro Homeowners Association. A copy of that letter is attached hereto and made a part hereof.

Mrs. Alberta Cornelius said she would like to know just what is going to be done with Wicker Place. She reported that the contractor has dug up the road, dug up the side, then disappeared. Councilman Vuola said he had been down there last week and then got back to Schoor Engineering. He assured the councilman that the work would be completed. Councilman Vuola went into some detail about the project, which is being paid for with Community Development Act funds. Mrs. Cornelius next inquired whether the township is planning to proceed with sewers there and, if so, when.

Council President Croddick answered that the W.M.U.A. is receiving bids on June 6th. He will find out whether this work is within their budget. Mrs. Cornelius said if they are not going to do the work on her street, she wants her (hookup) money back. The Council President explained the veto clause in the service contract and Manalapan's use of it to block the Morganville project and Marlboro's suit against Manalapan in the courts. He said her money would be returned if the sewer is not constructed.

Charles Smith spoke on the same subject. He said it is a shame the way the engineer left them roads. Two cars cannot pass. Twenty feet below the church there are no signs, no lights.

MARLBORO HOMEOWNERS ASSOCIATION

Mr. John Croddick,
President, and Members
of the Council
Marlboro Township Council
Marlboro, New Jersey

May 11, 1978

Dear Councilmen,

As you are aware, we are very much interested in and concerned with the direction of development in our community. This direction, of course, will be set by the land use zoning ordinance, now before you.

We realize a lot of work has gone into putting the map together and that you have spent considerable time in reviewing it.

At this time, we have no specific objection to any particular part and feel it is a reasonable plan. We do have a few suggestions and questions which might help put the map in a little better perspective and help us evaluate it further.

1. There is no scale on the map, so it is difficult to visualize how much acreage is involved in each section. We would like to see a scale put on it and also would like to know how many acres there are within each zone.
2. There is one section designated Flexible Residential Development, in which 25% must be developed in high density (1/4 acre lots) and 75% in medium density (1/2 acre lots). A scramble could occur among builders who want to be the first to put in the high density units. How do you plan to control development here?
3. When the town is fully developed as proposed on this map, what would be the approximate population?
4. What consideration has been given to the overall impact of this development: on the school system, police and other municipal services, the cost of these added services, and the repercussions on the tax rate?
5. What steps have been taken or will be taken in the very near future to assure a slow, orderly evolvement of the town according to this map?

In closing, I should like to point out that at all the public hearings held on this land use map, residents have said very definitively that they want the rural atmosphere of the township to be preserved. This is a mandate to the Town Council--even if it means changing the land use map approved by the Planning Board.

I appreciate your help and cooperation in providing us with the above information/clarification before the May 22 hearing so that we will have time to review it.

Thanking you in advance.

Sincerely,

Carol Abaya,
President
46 St. Lawrence Way
Marlboro, New Jersey

CA:js

Councilman Klau asked why the contractor stopped. Councilman Vuola gave an excuse about Jersey Central Power and Light. All the rest of the work could have been done. Contractor has not been there for two weeks. Councilman Vuola asked them to fill in the ditch before Sunday. If there are cars in the street, nobody gets through. There is no time schedule in their contract.

Councilman Klau said the letter which the Council President had said he would send to the Business Administrator and the Mayor, with copy to Schoor Engineering, should be stronger, because the longer it is left the greater the hazard. Mr. Croddick wants a time table for straightening out curbing and repairing the roads. Deputy Mayor James Newman will write a strong letter, plus making a phone call to Schoor.

Councilman Vuola wants the Council to direct a letter to the Business Administrator and the Mayor to get the Road Department to fill in an area there that must be filled in. It is not part of the project. It contains a lot of water and is a breeding place for bugs. A day's work is involved. The Deputy Mayor said he would check the Road Department schedule.

The following bids were received:

For Police Uniforms - Miller's Uniforms and Red the Tailor

Dry Cleaning Services - Marlboro Dry Cleaners

Printing Services - Paul Mark Printing, Freehold, and Trade Printing, New York

Radio Repair - Charles W. Rogers of Manasquan, New Jersey, and Joseph Manzeo of Marlboro

Summer Bussing - Greenwood Bus Service

Baseball Equipment - Harvey Sporting Goods, Inc. and Effinger Sporting Goods, Inc. Sea Lawn Products and Middle Atlantic Sports

Police Cars - West Side Ford.

The Council President asked that the bids be turned over to the proper officials for tabulation.

The public hearing on Ordinance #9-78 was opened. Since no member of the public wished to speak, the Council President asked Councilman Grossman to introduce Resolution #139-78 (Ordinance #9-78):

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

AN ORDINANCE VACATING AN ALLEY LOCATED
BETWEEN LOTS 5 AND 6 IN BLOCK 26C ON
THE TAX MAP OF THE TOWNSHIP OF MARLBORO,
COUNTY OF MONMOUTH, NEW JERSEY

be adopted on second and final reading and notice of the passage

thereof shall be advertised according to law.

Seconded by Councilman Vuola and adopted by unanimous vote of the four councilmen present.

The Public Hearing on Ordinance #10-78 was opened. Since no member of the public wished to speak, the Council President asked Councilman Vuola to introduce Resolution #140-78 (Ordinance #10-78):

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

AN ORDINANCE CREATING CERTAIN NO PARKING ZONES
ON TENNENT ROAD IN THE TOWNSHIP OF MARLBORO

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman Grossman and adopted by unanimous vote of the four councilmen present.

Before the vote was taken, Councilman Grossman informed the public that the no-parking area is near the Little League field on Tennent Road. Because of the dangerous situation created by parking on both sides of the road, the Police Department requested this ordinance.

The Public Hearing on Ordinance #14-78 was opened. Since no member of the public wished to speak, the Council President asked Councilman Klau to introduced Resolution #144-78 (Ordinance #14-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED 'AN ORDINANCE OF THE TOWNSHIP OF MARLBORO ESTABLISHING A PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291 OF THE LAWS OF NEW JERSEY, 1975; PROVIDING FOR THE POWERS OF SAID BOARD; FIXING THE PROCEDURES GOVERNING APPLICATIONS TO SAID BOARDS AND APPEALS THEREFROM' "

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on June 8th, 1978 at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

Seconded by Councilman Vuola.

Councilman Klau stated that this is the ordinance which created such a furor a month ago because it gave to citizens the right of appeal to the council in the event the Planning Board approved a sub-division to which they objected. In its original form, the ordinance was vetoed by the Mayor. This redraft makes some changes in procedure leaving intact the right of appeal to council. In reply to his query to Mr. Bierman about the transcript, the Township Attorney said any person appealing must order a transcript any pay the fee for it. Such fees are set by the Court reporters and they run about 75¢ per page.

The Deputy Mayor said that this redrafting of the ordinance is a result of discussions between Mayor and council. The objections the Mayor had to the original ordinance on the subject have now been removed. This ordinance will not be vetoed. Council and the Administration can work together.

Councilman Vuola agrees with Deputy Mayor Newman. In vetoing the first ordinance, the Mayor forced council to come up with a better ordinance all around.

This ordinance was passed on first reading by the unanimous vote of the four councilmen present.

Councilman Grossman introduced Resolution #145-78:

WHEREAS, the Township Council of the Township of Marlboro desires to widen and improve a certain portion of Church Road; and

WHEREAS, preliminary negotiations have been conducted with the various property owners involved and it appears that it may be necessary for the Township of Marlboro to acquire the lands necessary under the laws of Eminent Domain of the State of New Jersey.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Attorney is authorized and directed to proceed to attempt to acquire the lands and premises necessary for the widening and improvement of Church Road by means of negotiation and, if necessary, by proceeding under the laws of Eminent Domain of the State of New Jersey.

2. That the Township Attorney is authorized and directed to take all steps necessary including retaining necessary appraisers and other experts as required by the statutes applying and to, thereafter, proceed in the Superior Court of New Jersey for such purposes.

3. That a certified copy of this Resolution shall be forwarded to the Township Attorney forthwith, and all affected property owners.

Seconded by Councilman Vuola after which there was some discussion.

Councilman Vuola suggested that Council, through the Clerk, direct a copy of this resolution to all the home-owners involved. He stated that we have had a number of meetings with the residents on Church Road. All are in favor of the widening except one, whose property deed presents a legal problem. Once that is resolved, the Township Attorney can proceed to acquire the land without going to Court.

Councilman Grossman asked to have the resolution amended so that the words "and all affected property owners." are added in Paragraph 3 after the words "Township Attorney." The amendment was agreed to by all Councilmen present.

Councilman Klau said that all speed should be exercised in getting the property so that the reconstruction of Church Road can be accomplished. It is a dangerous spot because it is a narrow road which becomes a wide road. This work was on the 1973 bond ordinance. It has been dragging for over a year.

Councilman Vuola said he agrees with Councilman Klau. If the Township Attorney can get this resolved, there is a good possibility that the work can be finished this year.

The Resolution was adopted by the unanimous vote of the four councilmen present.

The Bill-Paying resolutions were taken up next, with Councilman Vuola introducing Resolution #141-78, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman. Councilman Klau called attention to a large bank transfer from Marlboro. The Resolution was adopted by the unanimous vote of the four councilmen present.

Councilman Klau introduced Resolution #142-78 (Municipal Complex Bill-Paying), a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman. There was no discussion and the Resolution was adopted by the unanimous vote of the four councilmen present.

Councilman Grossman introduced Resolution #143-78 (Swim Club Bill-Paying), a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Vuola. There was no discussion and the Resolution was adopted by the unanimous vote of the four councilmen present.

Council President Croddick asked Councilman Grossman whether he would like to add a resolution to the agenda. The latter said he would and thought it might be done by substituting Marlboro for Middletown. The Middletown resolution was in the councilmen's files and Councilman Grossman thought it expressed the sentiments of our council and should be a Marlboro Township resolution. Since there was no objection to this addition to the agenda, Council President Croddick introduced Resolution #146-78:

**The Following
Documents are
of
Poor Quality and
Can't be Filmed
any
Better**

RESOLUTION #141-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro Postmaster	Administration	100.00	17288
Morganville Postmaster	" "	50.00	17289
N.J. Employer H.B. Fund	Health Benefits	2,239.44	17290
N.J. Depend. H.B. Fund	" "	2,373.52	17291
James M. Valerio St. of N.J. Constable	Emp. Pay Ded.	47.89	17292
Marlboro Twsp. Unemploy. Ins.	Twsp. Share S.U.I.	2,906.28	17293
Marlboro Twsp. Net Payroll	Net Payroll Exchange	36,798.03	17294
C.J.B.T.CO. (F.I.T.)	Empl. Pay Deduction	5,963.05	17295
Wickatunk Postmaster	Administration	500.00	17354
Twsp. of Marlboro Gen. A/C, Franklin State Bank	Cash Transfer	500,000.00	17356
Marlboro Postmaster	Recreation	120.00	17358
Morganville Postmaster	" "	180.00	17359

\$ ISSUED WITHOUT COUNCIL APPROVAL:

<u>DOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK. #</u>
Public Assistance	Public Assistance	1,596.00	570-51
N.J. Div. Fish, Game & Shellfish	License Trust	878.00	40
N.J. State Dept. of Health	Dog License	53.00	1532
	Total:	553,805.21	

	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Le Andiron Inn	Refund of Prior Years Revenue	112.00	
C.A.S. Bar & Grill Inc.	" " " " " "	112.00	
La Collina, Inc.	" " " " "	112.00	
Marlboro Bar & Liquor, Inc.	" " " " "	112.00	
Morganville General Store	" " " " "	56.00	
The Paddock, Inc.	" " " " "	112.00	
Bd. of Ed., F.R.H.S.	Dist. Taxes	96,782.68	
County of Monmouth	County Library Tax	11,844.53	
County of Monmouth	County Tax	339,633.46	
County of Monmouth	Health Dept. Tax	8,484.98	
Marlboro Twsp. Bd. of Ed.	Local School Tax	310,018.00	
Bayshore Independent	Admin. 225.00 Recreation <u>337.50</u>	562.50	
Asbury Park Press Inc.	Administration	270.95	
Electro Check Inc.	" "	2,769.00	
IBM Corp.	" "	232.80	
International City Mgmt. Assoc.	" "	26.00	
Dept. of Gov't. Services	Finance	130.00	
Joseph C. La Mura	Tax Assessor	111.15	
C.J.B.T.Co.	Publ. Bldg. & Grds.	3,375.00	
Norman B. Kauff, Esq.	Bd. of Adjust, Cont. Fees.	925.67	
Camera Showplace	Police	11.84	
City of Long Branch	Police	53.00	
Division of State Police	Police	25.00	
Ptl. George Landau	" "	7.15	

	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Milboro Dry Cleaners Inc.	Police		208.00
Red The Tailor Inc.	" "		498.85
Scrub- A - Dub of Cambridge	" "		93.00
Bayshore Stationers	Inspections	6.72	
	Police	45.85	
	Hwy. Safety	<u>369.20</u>	421.77
BOCA International Pub.	Inspections		18.00
John Cavaliere	" "		34.50
Edward Savoie	" "		188.25
Joseph A. Mazzeo	Sts. & Rds.	44.95	
	Police	122.75	
	Civil Defense	<u>362.62</u>	530.32
Gale's	Sts. & Rds.		13.98
Garden State Equip.	" "		2,000.00
Gordon Lumber Co.	" "		51.50
K L K Trucking Co. Inc.	" "		337.31
Lyncar Corp.	" "		1,760.50
Walter Heath Co. Inc.	Equip. Maint.		45.28
Industrial Welding Supply	" "		30.31
North Jersey Equip. Co.	" "		461.55
C.H. Roberson, Inc.	" "		8.90
Tom's Ford Inc.	" "		170.59
August Plumbing. & Heating	Grds. Maint. 1977	60.00	
	Grds. Maint.	<u>410.00</u>	470.00
Jo-Mar Fence Co.	Grds. Maint.		3.94
Sears Roebuck	" "		27.98
J.C.P.L.Co.	St. Lighting	6,558.40	
	Utilities	<u>1,224.54</u>	7,782.94

<u>FOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CF</u>
N.J. Bell Telephone	Utilities	1,289.59	
N.J. Nat. Gas Co.	" "	181.98	
W. M. U. A.	" "	127.50	
Da-Lor Service Co. Inc.	Library 1977	234.00	
Patock Construction Co.	B.O. 3-74	28,790.91	
A.S. Gilbert, Inc.	B.O. 10-77	16,660.00	
	Total:	\$ 838,321.16	

OFFERED BY: Vuola

AYES: 4

Not Present: 1

SECONDED BY: Grossman

NAYS: 0

The above Resolution was adopted this 11th day of May, 1978.

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

5/8/78

Date

Shila Fiffin
Treasurer

Whereas, The Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CI</u>
Dan McCarron & Son	B.O. 20-77	24,678.00	
M. & R. Mechanical Contractors	" " "	15,543.00	
John Maltese Iron Works Inc. & Brunswick Bank & Trust Co.	" " "	3,510.00	
Testwell Laboratories Inc.	" " "	69.05	
	Total:	43,800.05	

RESOLUTION #143-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Asbury Park Press	Swim Pool 1977	20.75	
David Jewell	Swim Pool Refund	20.00	
Stuart Williams	" " "	20.00	
John Dempsey	" " "	20.00	
Raymond Rogers	" " "	20.00	
Stanley Weinberg	" " "	150.00	
	total:	250.75	

WHEREAS, during the calendar year 1974 the State of New Jersey discontinued State Aid funds for counties and municipalities relative to road and bridge construction leaving only local and Federal funds as a source for these important improvements; and

WHEREAS, during the calendar year 1978 all municipalities found their capital improvement budgets severely impacted by budget restrictions imposed by the State legislature, leaving Federal Aid funds as the primary source of funding for capital improvements; and

WHEREAS, the Monmouth County Planning Board recently released information indicating there was a problem relating to Federal funds anticipated and Federal funds actually available to municipalities for highway projects on the Federal Aid system; and

WHEREAS, the Township Council of the Township of Marlboro has serious concerns relating to actual Federal funds available for highway aid purposes and the continuity of processing these type projects;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Governor and the State Legislature be requested to accomplish the following immediately:

1. Insure that Federal Aid projects be processed on a continuing basis and be expedited since it is the most important means of funding to many municipalities.
2. Insure that matching State funds be expedited to encumber all Federal Aid dollars apportioned to the State of New Jersey so that projects are continuously processed and expedited. Matching funds should be provided as necessary (during first, second or third year) to insure that apportioned Federal funds can be used as worthy projects dictate.
3. Require a semi-annual status report be submitted to the Monmouth County Planning Board indicating Federal funds available during a specific calendar year and indicating the status of State matching funds in relation to Federal funds apportioned.

BE IT FURTHER RESOLVED that certified copies of this Resolution be submitted to the Governor, Area Legislators and the Monmouth County Planning Board requesting their support,

It was seconded by Councilman Vuola and adopted by unanimous vote of the four councilmen present.

Mr. Newman spoke on the subject of police cars. He said the one bid received was satisfactory to the Chief of Police, and that if the bid is not awarded tonight, the cars will not be received this year. He added that the cars need certain modifications and that this information was given to all prospective bidders, by letter.

At this point the Township Attorney questioned the manner in which the changes in specifications were made known to bidders. The Chief said he authorized the changes and sent them to Doremus, Tom's Ford, West Side Ford and a Ford dealer in Freehold. The changes in the specifications were made because after June 28th, Ford will not manufacture any special options on cars (such as those the Chief wants).

Council President Croddick asked the Township Attorney, the Deputy Mayor and the Chief of Police to discuss this matter privately in the next room while the Public Session took place before the Council.

Public Session

Charles Smith said some shacks in his neighborhood should be torn down. One in back of Mrs. Wesley's house where kids gather. He passed there the other day and they had a fire in an open can. The township should look into this right away before a dangerous fire is started. President Croddick asked Councilman Vuola whether we had any demolition money left, and Mr. Vuola said he thinks we have four more structures to go and that the list is in the Business Administrator's office. President Croddick suggested that Mr. Smith check with the Business Administrator on Monday to see whether those buildings are on that list. He said that perhaps Mr. Smith could develop a priority list.

Councilman Vuola explained that the town cannot just knock down these places which people own. Mr. Smith said the town owns the garage he spoke of, and if we condemn it we can take it down. Also on Martha Lane we have a couple of trailers and they should be pulled out.

The Council President said that Mr. Smith should give the Business Administrator a list of buildings which he thinks should come down and compare it with the list she already has. Whatever work can be done immediately should be done; and if we have to find out who owns a building we will do that.

Councilman Vuola said that we are in process of getting a truck to clear out debris. The people anticipate a clean-up day and I don't know whether we are or are not going to have one. Regarding the trailers, people own them and bad as they are we cannot just move them. Council President Croddick said these are administrative functions and council will tell the Business Administrator. If is not done within 30 days, the people are to come back to council and report.

A gentleman (who did not give his name) said nothing had been done to remove a big pile of debris down from Smith's house on Greenwood Road. Councilman Vuola said he had spoken to Mr. Preis at the MUA on Tuesday night when he had asked him either to clear the land or (inaudible). The previous speaker said the debris had been there for over a year and the Councilman said it was difficult to move Mr. Preis.

An unidentified gentleman spoke about the widening of Church Road. He said it would cost the township a lot of money. He asked if there was any way to make a developer responsible for widening when a road came out on a highway.

The Council President said that was a Planning Board function.

Councilman Klau said they should take care of this. Land sometimes donated, as on County Master Plan. The developer must donate land from his own property.

The Council President said that a developer cannot be made to widen the road by going on someone's property.

Surae Wolf asked whether there was any way to achieve the widening of the end of Church Road. The Council President said that he does not think we know who owns that property, but he will ask the Tax Assessor. Mrs. Wolf said she had heard that the township owned it but she was informed by Mr. Croddick that this is not so.

Councilman Vuola said that the minute you get into condemnation, there is a price we have to pay. But it is not going to cost a lot of money for the Church Road property acquisition. Our Road Department will do the work.

At 9:03, the Council President left the meeting with the Township Attorney, and Councilman Hyman Grossman, Council Vice President, took the chair.

Mrs. Alyce Lathrop was the next speaker. She said she wants to ask the Mayor about a natural resources inventory and whether such an inventory had been consulted in the preparation of the zoning and land use maps, etc. Councilman Grossman said this was an important matter which he had brought up at Planning Board. He said that this map (zoning) is only a first step in developing a Master Plan and among the things still to be done is a resource inventory. He stated that the Planning Board has just taken step one. The reason that council is involved is that our zoning ordinance, which we are obliged to come up with, has to comply substantially to the land use element. Planning Board still has a lot of work to do. In the Master Plan, environment will be considered, impact studies on water, sewerage, population, etc.

Mrs. Lathrop said we are projecting this into the future. Councilman Grossman said he would get information from the Deputy Mayor.

Mrs. Lathrop then asked what happens with proof-reading errors in the new zoning ordinance. Councilman Grossman replied that they can be corrected when the ordinance is adopted on May 22nd, at the public hearing. Mr. Bierman (who had returned to the council table) said the ordinance can be amended but not changed in a substantive manner.

Councilman Klau wants a special meeting before May 22nd to discuss the ordinance as presented. He is thinking of flood plain provisions. And we will not have enough time to do it on the 22nd.

Councilman Vuola said he was in process of sending a letter to all interested parties requesting the same thing. At the last meeting he said council did not do what is required of it. He said council approved and corrected a land use map and that is all. He said we have not done what is required of us, which is to put into the zoning ordinance protection for this township and its residents. We have not gone through the ordinance and the councilman feels negligent. He said that tomorrow is the 12th day of May and it is only ten days before we have to have a public hearing on this piece of paper.

Councilman Grossman agrees with Mr. Vuola that we probably need two sessions. They discussed dates even though the Council President was still out of the room. Councilman Vuola reminded council and public that a caucus session was designed so that the public cannot participate. Councilman Grossman told the public that the law requires caucuses to be open but the public cannot be heard. Mr. Bierman said it would be difficult for him to attend additional meetings.

It was decided that Wednesday, May 17th, would be the date of a zoning workshop and the Clerk was instructed to send out Sunshine Notices for that date and for a special meeting on May 22nd.

The Public Session continued with Myrna Kleinman as next speaker. She does not mind the Tennis Club lights until 11 P.M., but the members are playing until one and two in the morning. The Deputy Mayor said the problem has been resolved by having dimmers run by timers. The lights will be turned off at 11:30 P.M. Now the police have to go to turn the lights off. The electrical contractor will put the timers in. Mrs. Kleinman said this situation has persisted for a long time.

Mrs. Lathrop called for recognition on a point of order because her question has not been answered. Councilman Grossman restated his remarks concerning an inventory of natural resources. She believes the inventory has not been taken as yet. Councilman Grossman said it would be done as one of a series of reports by the Planner. The Deputy Mayor does not know whether the report has been done. He said the Planner has done a natural resource study, but he does not know whether it has been typed. Mrs. Lathrop asked where it could be seen.

At 9:25 P.M. the Clerk was called out in order to type a letter. The recording machine was turned off. At 9:27 P.M. the Council President called for a 5 minute recess.

The following is the text of a letter dictated to the Clerk by Mr. Bierman for the signature of Police Chief Joseph Walker.

Dear Mayor Goldzweig:

Please be advised that the modification of specifications for the 1978 police vehicles referred to in my letter of May 11, 1978, was the result of information supplied by the Ford Motor Company as to the availability of police cars and their equipment. All prospective bidders were immediately notified of the required modification of the specifications.

Very truly yours,

cc: John F. Croddick
Herbert B. Bierman

The above letter was typed by the Clerk but never sent because of a change in plans indicated by what follows in these minutes.

At 9:38 P.M., Council President Croddick made a motion that all bids for police cars be rejected. It was seconded by Councilman Klau. Attorney Bierman provided the discussion by explaining that the modifications in the specifications had not been advertised and they must be advertised. The motion to reject was passed by the unanimous vote of the four councilmen present.

Another motion was made to authorize the Business Administrator to readvertise for bids for police vehicles with the aforementioned modifications, the bids to be received on May 22nd. The motion was made by Council President Croddick and seconded by Councilman Vuola. It was passed by the unanimous vote of the four councilmen present.

Council President Croddick asked whether any of the councilmen had anything else to bring before the meeting. Councilman Klau said he would like to exempt anyone over 65 from paying tennis fees. Councilman Vuola said he had spoken to the Mayor about reducing the fee for senior citizens to \$5.00 from the present \$10.00. He said that if council wanted to do away with the fee altogether, it was all right with him. It was also agreeable to Mr. Hoch.

Council President Croddick asked the Township Attorney to prepare a new ordinance on this subject for Monday, May 22nd.

Councilman Grossman noted that it would be necessary to return the fees already collected from senior citizens. Councilman Vuola suggested that this be done by the Recreation Department working with the Business Administrator.

The meeting was adjourned at 9:45 P.M.

Minutes Approved September 14, 1978

Marjorie E. Currey Marjorie E. Currey
Acting Township Clerk

John F. Croddick John F. Croddick
Council President

COUNCIL OF THE TOWNSHIP OF MARLBORO - SPECIAL MEETING

MAY 22, 1978

The meeting was called to order by Council President Croddick at 8:18 P.M. After the salute to the flag, the Clerk called the roll. All councilmen were present. Also present were Mayor Arthur Goldzweig, Township Attorney Herbert B. Bierman, Acting Clerk, Marjorie E. Currey, and Planner John Heller,

Mayor Goldzweig read the following Notice of Special Meeting:

"In accordance with the provisions of N.J.S. 40A: 69-179, I, Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a special meeting of the Township Council on Monday, May 22, 1978, at 8:00 P.M. for the purpose of a public hearing on and final passage of a new zoning ordinance (Ordinance #13-78); and receipt and possible award of bids."

Copies of the above Notice were sent to the Asbury Park Press, The Daily Register, Colonial News-Freehold Transcript and The News Tribune.

Council President asked for a motion to include certain amendments (which had been prepared by Mr. Bierman) in the new zoning ordinance to be passed at this meeting. There are 15 pages of technical amendments to the published ordinance. They are available to the public, but he does not think they should be read tonight. Generally, their purpose is to clarify the language of the ordinance as published.

At the request of several members of the public, the Township Attorney read the amendments section by section, giving explanations as he proceeded. He said that many of the changes were recommended by the Planning Board.

Councilman Grossman said he would like to propose a substantive amendment concerning development plans for multi-family housing. This suggestion resulted in the following amendment which was accepted by consensus before the vote on Resolution #146-78 (Ord. #13-78) as amended:

"The addition of a new Section, 510.4.1, which would require of anyone building multi-family housing the same development plan required of builders of townhouses." This new section also states that the requirements of section 511.22 are applied to any application under section 510 of this ordinance.

Councilman Klau said he would like to change the front-yard setbacks in section 501.9. He thinks the minimum setback for any lot under 20,000 feet in area should be 40 feet and not 30 feet to 40 feet as our proposed ordinance states. He does not want the Planning Board to have the option of deciding. He stated that 40 feet is the minimum in other developments, such as Monmouth Heights. Council Presi-

dent Croddick said the purpose of the provision was not to down-grade an area but to make it more interesting by permitting the staggering of the houses on the lots.

Councilman Klau moved the 40 foot minimum on setbacks on all lots under 20,000 square feet. The motion died for lack of a second.

Council President Croddick asked the Clerk to call the roll with regard to the amendments prepared by the Township Attorney and read by him earlier in the meeting. All councilmen voted "Aye" indicating that said amendments would be part of the zoning ordinance as passed.

The Public Hearing on the ordinance started at 8:40 P.M. Russell Reeves was the first speaker, pointing out an error in section 502.12 because it is contradicted in the following section. John Croddick said we must correct it now. Mel Kenduck of Planning Board said the figure should be 1800 Sq. ft. In section 501.9, the second column lacks a title, which should be "Lot Width." Further on in same section, under the column headed Maximum No. of Lots Permitted (percent of Gross Acres), there is a typo: the decimal point in the reprint should be removed to show 70 (%). To section 600.4, Mr. Reeves would like to add "barbed wire in residential zones." Mr. Bierman said he would have to work out some language to achieve this change.

Jack Levine of 19 Church Road said that the R-20 zone goes to Church Road. He believes it should be extended to Tennent Road to prevent any commercial zone from being put in that residential area.

Eugene Gorzelnik of Harrington Estates said the R30/20 zone bordered by Nolan and Lloyd and Reid's Hill Roads and Roosevelt Avenue was originally zones larger than one acre. Now it is down to 3/4 acre with clustering possible. There is a sewerage problem in that area. You cannot put houses on 20,000 square feet without sewers, he stated. The County Health Department has required that all septic systems be cleaned and pumped out. The zoning proposed will aggravate a bad situation. He then read section 403.21. The mayor answered him by saying that there is no inconsistency between this section and the way the above-described area is zoned. He said that if an area is zoned for smaller lots and there are no sewers those smaller houses cannot be built. There is nothing wrong in zoning for a future time when a sewer system may exist.

The next speaker was Carol Abaya of 46 St. Lawrence Way, representing the Marlboro Homeowners Association. Her three-page letter, which she read, is attached and made a part of these minutes.

Sidney Leveson complimented the Council on the open manner in which the meeting was being conducted. He then read paragraph K of Section 102 (General Intent). The paragraph refers to Planned Unit Developments. The problem is that Planned Unit Development does not appear in our ordinance. This might result in a court challenge of the ordinance which the speaker said he would not wish. The problem could be solved by taking out the word "PUD." Mayor Goldzweig said that Mr. Leveson is right.

Mr. Leveson then asked a question of Mr. Bierman concerning section 504.15.4. In the present ordinance, all land dedications are voluntary. If the speaker understands the aforementioned section, it gives the impression that a mandatory 30% dedication is required. Is the proposed ordinance (including said section) a departure from something that has worked out well in the past? The Township Attorney studied the section in question as did the Council President. Councilman Grossman replied that this was positively a change. He emphasized the deviation from the past and requires the reduced lot size.

Continuing, Mr. Leveson referred to Paragraph G in section 102 (General Intent). Agriculture is mentioned here, but we have no agricultural zone. He thinks we should designate Land Conservation zones Agricultural zones. It might well stand up in Court. It would limit amount of land that can be built upon.

He made another suggestion he characterized as perhaps radical. There is a risk that development will take place in a very short time even though we may want to plan for development over a ten-year period. We might take the map and say that this is what we will do in the next ten years; but within two-year intervals we will do only a fraction of the total amount. Mr. Leveson does not know whether the Court would uphold such an effort, but if it is stated with sincerity, it might prevent massive development all at once. He said it might be useful if a letter were sent to Judge Lane along with the zoning ordinance setting forth our intent to meet the requirements of his Court order. Mr. Leveson gave a draft of his proposed letter to Council President Croddick.

The next speaker was Mr. Chin who gave his address as Box 117, Route 79. He owns 9 acres of land and the parcel has been split right down the middle by this zoning map. He asked Council to put his home back together. Mr. Croddick said this was a mistake; he made a change on the published map and told Mr. Chin that his property was now all in one zone. All Council members concurred in correcting this obvious error.

Hank Bauer, President of the Beacon Hill-Pleasant Valley Civic Association addressed Council next. He pointed out that some people are concerned about two zoned areas. We have a letter and petition signed by 130 people. (He gave copies to Council President.) South of Nolan Rd., where it is zoned R30/20 and also R80C, the land is hilly and swampy and the people do not think it is suited to R30/20. The other area objected to is the end of Beacon Hill Road where it is hilly and wooded. It is zoned light industrial running a good way up Beacon Hill Road and the people object. Mr. Croddick explained that zoning this area light industrial was not a change because the property is owned by Entron. He defended this zoning. It is impossible to bring MUA water to that area and very expensive to bring sewer service, so it could not be residential. Mr. Bauer asked about

a buffer zone between the light industrial and residential and was informed by the Township Attorney that it was 200 feet. Mr. Bauer was happy to learn about the buffer zone.

The next speaker was Dick Previte, 7 Kilmer Drive. He stated that the Senior Citizen Residential District (RSC) only touches Route 9 for a short distance and there will be a number of roads going into the development. That might mean, in the future, a road going into the development and into Whittier Oaks. He asked if it would be possible to increase that buffer between the Senior Citizens and Whittier West. Mr. Croddick said it would have to be addressed by the Planning Board. Councilman Vužola said that Mr. Previte's remarks were pertinent. There are a number of paper streets existing. He would suggest that Council consider eliminating these streets so that these streets are permanently closed.

Councilman Grossman asked Mr. Bierman if there is a period of time that elapses before paper streets are turned over to the homeowners on either side. Mr. Bierman said there is no such period.

Mrs. Alberta Cornelius of Wicker Place asked the meaning of medium density which is what her area is zoned. Mr. Croddick asked John Heller to explain R60/40: minimum lot size one acre; 1½ acre density. R60C is 1½ acre down to half acre cluster. Mr. Cornelius asked whether she could build a house on her lot which is 150 ft. x 55 ft. Mr. Bierman said only one house per lot was permitted by the new ordinance; but that she can build a house because her lot existed before this ordinance. Since her lot is already on the tax map, she can build a house on her lot.

Vincent Matulewicz of 22 Harrington Terrace. He commended the Council and Planning Board for the new map and zoning ordinance. He thinks they are fairly progressive. He wants to talk about the map and is eagerly awaiting the official Master Plan. He is particularly pleased with the amendments on the environmental impact statements required by the new ordinance. This type of statement is a tool and should be viewed as such. He said he has points to make on the new ordinance. It may be too late now but he wants his ideas considered as future amendments. His letter to Mayor and Council is attached and made a part hereof.

He made suggestions which are a matter of record (though not included here for reasons of brevity) on the following sections of the ordinance: 403.1, 403.2, 403.24.7, 405.1, 405.7, 406.7, 605.1.1, 1000.1.5, 604.3.5.

Kathy Bauer of 189 Beacon Hill Road expressed her deep concern over the Light Industrial zone in her area, stating that it is bad zoning and wrong and inappropriate.

Salvatore Albano, 18 Stockton Drive, asked the depth of the C-1 area in Marlboro Village. Mr. Croddick answered him, referring to the map: he said the C-1 zone ends at the backyard lines of the houses fronting on Willis Street. The zone boundary does not come anywhere near his (Stockton) street.

Jim Lisky of 213-C Nolan Road. He said he knows people on the corner of Tennent and Crine Roads who are flooded in every rain storm by the septic run-off from the Trailer Park. Mr. Croddick stated that if the park is enlarged, the owner will have to increase the size of the package plant or build a new one. This plant would have to meet State requirements on effluent. It would have to go to the W.M.U.A., then to the State for approval of its operation. Mayor Goldzweig said there will be an up-grading of the park system.

Jack Stauffer of 28 Emerson Drive said the buffer of 60 ft. provided between the Senior Citizens development and Whittier West was not sufficient. It would have a negative impact. Mr. Croddick explained that the yards are in addition to the 60 ft. buffer zone.

Monique Maurene of 45 Sudbury Road is concerned about the C-2 zone at the Route 18 Interchange with Tennent Road and Route 520. The planner, John Heller, explained that this zone is neighborhood commercial which is a general commercial shopping area with a buffer. Attorney Bierman referred to section 513.14.3 saying that the buffer would be 30 feet with an addition of the depth of rear yards. Thus there would be 80 feet between any building and a commercial store. The speaker wanted to know which land in this zone had recently changed hands. Mr. Croddick said he did not know, that the tax assessor could tell her. This zone was recommended by the Planning Board. Mrs. Maurene is not happy about it because it will become a hang-out for teenagers.

Morton Cohan said that the owners of record of the property referred to be the previous speaker are a realty company in Newark. He said that land has always been residential and there is no reason to change it now. Mr. Cohan is a member of the Board of Education. He reminded all that the Robertsville School Annex is being used by pre-school children who are handicapped. This is another reason not to zone this commercial.

Russell Reeves spoke a second time, referring to section 517.15.5. He asked that the buffer of 50 feet be increased to make it fair by basing it on larger area or a percentage of lot size whichever is smaller. He also pointed out that in section 403.24.2 which deals with trees 6" in caliper which cannot be removed, it is not stated where on the trunk of the tree the measurement is to be taken.

John Tergis of 100 Gordon's Corner Road spoke in favor of garden apartments saying that a mixed town is good for all. He called for the rejection of an exclusionary ordinance like this one. He said that if we do this now, 50 years hence our children will say it is an example to be followed.

Councilman Klau said Mr. Tergis' remarks needed some elucidation in view of the fact that he was a big developer and the public should know why he spoke as he did.

The public hearing was closed at 10:18 P.M.

Councilman Klau said he had reviewed the Multi-Family Dwelling zone near Routes 18 and 9 and said it was good. Just north of it construction of 11,000 units will soon be started in Old Bridge Township. The area is very conducive to this (multi-family) purpose. He said that senior citizens and young people will have ample place to live in our town. There are two other senior citizens zones.

Councilman Grossman said the point raised by the lady on Sudbury Rd. is well taken. He strongly recommends that Planning Board consider making the south boundary of that C-2 zone Robertsville Road. The mayor would support this. Perhaps that C-2 zone should be changed shortly by amendment. Councilman Klau said he does not see why the Council cannot make changes tonight. They are not material in nature and the law allows this. He said this amendment deserves consideration. He asked the councilmen whether they wanted to put this change in by motion.

The Planning Board, through its chairman, said they would recommend it.

Councilman Grossman supports the idea but will be guided by Mr. Bierman. Mr. Bierman said that we have a map here which has been advertised. This map (from the reprint in Bayshore Independent) with changes made in the revised map on the wall is the map that the Planning Board recommends. If you adopt something else you must tell in the minutes the reason why. He said he could not rule on re-advertising until all changes are known. Each change influences the entire matter. Any change or changes might require re-advertisement of the map. You cannot adopt an ordinance if the map is substantially changed.

Councilman Grossman asked whether the Council had any other changes. If there are several, we might have to put the changes over (to another meeting). If not, we can make this specific change I have in mind.

The Council President said he would poll each councilman individually on changes. Attorney Bierman warned that they must keep changes to a minimum.

Councilman Grossman asked that the minutes show his rationale for the suggested change and the emergent nature of it. Historically this area has been a residential zone. A potential emergency has arisen because there is a strong likelihood of a change in ownership in anticipation of the adoption of this map. There is thus an immediate need to address this C-2 zone. There are other valuable changes sug-

gested but they are not of an emergency type and can wait a few days or weeks.

Councilman Klau agrees with Councilman Grossman. He thinks we should take the initiative in this area. He does have a major change he would like to make but it will have to be held over since the ordinance must be approved tonight. He would have liked to have several months in which to prepare this new ordinance. We really did not spend enough time on technical problems. We did spend a lot of time on the map. He thinks section 607.3 is too liberal. (This is one of the amendments which is to be adopted as part of the new zoning ordinance.) At the next Council meeting Councilman Klau would like to bring up the subject of limiting the number of houses a builder can build in one year.

Council President Croddick said he wanted to offer one addition or correction. He would like to see the R30/20 zone on Beacon Hill Road changed to R60-C which would allow a donation (of land) and clustering. This also should be discussed at the next meeting.

Mr. Croddick asked Councilman Grossman to introduce the change he had strongly urged, namely, making the southeastern quadrant of the C-2 zone at the interchange of Route 18 and Route 520 and Tennent Road slightly smaller by bringing the south boundary line up to Route 520. A motion to this effect was made by Councilman Grossman and seconded by Councilman Klau. There was no discussion. In the roll call, Councilman Grossman and Councilman Klau and Council President Croddick voted Aye; Councilmen McClung and Vuola voted Nay.

Councilman Klau spoke of a major change he would like to see on Ryan Road which must be discussed at the next meeting. He asked about the elimination of the waiver of the Environmental Impact Statement and Councilman Grossman said the developer has the burden of proof as to whether his subdivision will have any important impact on the area. Councilman Klau wants to take this matter up at the next caucus meeting.

Mayor Goldzweig said that tonight is only the beginning as far as our zoning is concerned. There are other township ordinances that need to be worked on, the Subdivision Ordinance for one. He said members of the public are always welcome to attend Planning Board meetings. He is proud of the rapport between Council and Planning Board and their attorneys. This ordinance is the final product of a general agreement between the two bodies. Land Use is only one of many elements of the Master Plan which is now being developed.

Councilman Grossman said he would like to make a general statement: he spent days reading every line of text of this ordinance. Some of his ideas were incorporated into earlier amendments. Two all-important

issues in the township are zoning and planning services. An important decision is being made here tonight. He believes we are taking a big step forward. This is an extension, a change, in the existing land use map of the township. It will impact the town for several years. It goes a long way to meeting the objections of the Court to our zoning. It will enable the older people to stay in Marlboro and allow their children to stay here as well. He thinks we are taking a big step forward with this new zoning ordinance by providing a variety of housing, uses, sizes. We will all be better off for it. Councilman Grossman supports the ordinance and map as modified tonight.

Councilman Vuola said he wanted to explain his negative vote on the C-2 zone at the junction of Route 520, Tennent Rd. and Route 18. The area was residential for many years because there was no route 18. He was elected to do a job and you must zone a piece of property the way you think best. Commercial is the proper zone for property at an interchange such as the one in question. He is not particularly happy with the map. Certain areas in town may generate another suit; and we will have another suit tomorrow, next week or next year. If we get another suit, some other part of town will have to be developed 60/40. I fear for that section of town. Ninety per cent of all zoning is taking place around developments. We are a development town. I have urged half-acre for six years. There have never been more than 150 homes at one time (being built) in this town. If we had more half acre, you would not be worrying about apartments or townhouses.

Councilman McClung said he did not want to be redundant, but that we have been in courts for some 20 years. This case is coming to a conclusion. He said Judge Bierman has defended us in the courts since 1971. As a result of that, we hired a Planner who has done a good job under a lot of pressure, stress and strain from 5 councilmen, the Mayor, the Zoning Board, Planning Board and the people of the community. He feels that Council and Planning Board should be congratulated for at least agreeing on something, and that is the map on the wall. Fortunately only one change was approved tonight and that change did not have to come tonight. His concern was that many other changes alluded to would be put on the floor tonight which would have defeated our efforts to pass a new zoning ordinance and map; and tomorrow we would have had no zoning at all in effect. The Councilman congratulated everyone who worked on this project for doing a fine job.

Councilman Klau said we went through the map at great length. We all had different feelings about different areas. This map and this ordinance is a compromise. I think it meets the criteria set up by the Courts. We have areas for all walks of life. These plans (evidenced by the ordinance and the map) will be changed periodically. He trusts we will move in the right direction.

Council President Croddick made a short speech in which he said that we have done all that is humanly possibly for any township in revising our zoning to meet the Court's deadline of May 23rd. Other towns have been in court also and some of them have reverted back to what they had.

At 11 P.M. the Council President called for the vote. He introduced the following resolution:

RESOLUTION #147-78

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

ORDINANCE #13-78

AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF LAND; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATION IN THE TOWNSHIP OF MARLBORO.

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

The resolution was seconded by Councilman Grossman and adopted by unanimous vote.

The meeting was adjourned at 11:07 P.M., the motion for adjournment being offered by Councilman Vuola, seconded by Councilman Grossman and passed by unanimous vote.

July 13, 1978
Minutes Approved

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

MARLBORO HOMEOWNERS ASSOCIATION

May 22, 1978

Mayor Goldzweig
Council President Croddick
Members of the Council
Marlboro, New Jersey

Dear Sirs,

As you recall, the Marlboro Homeowners Association, in an effort to assist this council in evaluating the new map and zoning ordinance, asked that certain information be provided to us before tonight. Unfortunately, however, this information has not been provided to us by any member of the council, either formally or informally, and therefore, the following comments are made to this council without the benefit of having all the information, which we trust is available to this council.

Keeping this in mind, the Homeowners Association, which represents more than 90 families, hereby submits the following comments with respect to the new map and zoning ordinance.

First, I must repeat that the mandate given the township officials by the residents has been that the rural atmosphere be maintained as much as possible. With a few exceptions, we feel that this has been accomplished.

Second, we have, since the public hearings last fall, consistently asked that an impact statement accompany the map and ordinance. To date we have not seen any. We feel the township officials, in this case, are very delinquent in their duties to the people of the community.

1. Keeping the above in mind, we would like to point out that the southern part of the township today has the heaviest concentration of people. In this area, there are only three roads running north-south which go through the area and out onto major highways: Gordons Corner Road, Wyncrest Road and Ryan Road. Hence, it is very important to take this into consideration as far as traffic flow is concerned once the area is fully developed.

Therefore, we want the entire as yet undeveloped area around the proposed senior citizens areas to be zoned R-60. If this area is developed in a higher density, it will place too heavy a burden on the road system. We are, therefore, unalterably opposed to having the area known as Brown's farm on Wyncrest Road and the area across the street from it zoned 30/20. We want both areas to be zoned R-60, to better balance the population concentration.

2. In relation to the designated Flexible Residential Development district, we feel this concept is not administratively workable. We, therefore, would like that area to be zoned either all R-20A or all R-30A. This would mean houses could be built on either $\frac{1}{2}$ acre or on $\frac{3}{4}$ acre (whichever is designated), but that the house would be a maximum of 1,800 square feet on $\frac{1}{2}$ acre lots and a maximum of 2,000 square feet on $\frac{3}{4}$ acre lots.

3. In #2 above, we make mention of R-20A districts. One of the mandates from the residents is to maintain a rural atmosphere as much as possible. We propose that several areas be designated R-20A, as noted on the attached map in blue, in which houses with a maximum of 1,800 square feet will be built on $\frac{1}{2}$ acre lots. This will do several things, besides retaining a more open atmosphere. First, it will mean that houses costing \$50,000 to \$60,000 can be built in the town, compared with the new developments now going up in which the lowest cost home is \$75,000. Thus, middle-income people can live in the community, giving it a better balance. Second, smaller homes will have less children, thus reducing the pressure in the future on our schools and tax rate.

4. The farm at the corner of Gordons Corners Road and Rt. 520 has some beautiful wooded areas on it. Therefore, we would like this area to be included in the R-80 district just north of it.

5. In the northern part of the community there are areas that are heavily wooded, go up a couple hundred feet in elevation and fall into ravines with rambling brooks. Therefore, that entire northern part should be R-80. This means eliminating the area along Nolan Road now designated 30/20, reducing the LI district which fronts Rt. 79, and changing that LI district to a commercial one.

Attached is a map, colored to show the district changes we would like to see incorporated.

6. In reading the proposed ordinance, we feel there are several very serious omissions which must be included if we are ensure that the development of the community is balanced and in the best possible interests of all the residents. As we do not have an environmental commission, it is important to include the following clauses now in the appropriate places:

A. in relation to the cutting down of trees:

"Included in the documents to be presented to and approved by the Planning Board for any subdivision shall be a Tree Survey, identifying and locating all trees on the property with a caliper of more than six. The Township Engineer or Building Inspector shall confirm this survey and individually mark those trees or areas of trees which shall be allowed to be removed. No tree more than 20 feet from the exterior walls of any house shall be cut down or removed without a permit from the Building Inspector. If any trees with a caliper of more than six is removed from any lot without a permit, then a fine of \$500 per tree shall be assessed against the builder and no further building permits shall be issued for any of the lots remaining in said subdivision until the fine is paid.

B. in relation to fiscal impact:

"Included in the documents to be presented and approved by the Planning Board for any subdivision of more than 25 homes shall be a Fiscal Impact Report which shall estimate the amount of real estate taxes to be received by the Township based on the tax rate at the time subdivision approval is given and the effect of the subdivision upon municipal services such as schools, police and road maintainance."

C. in relation to traffic and pollution:

"Included in the documents to be presented to and approved by the Planning Board for any subdivision of more than 25 homes shall be a Roads Report containing information on the impact of automobile traffic in the area and of automobile traffic on air pollution."

D. in relation to wildlife:

"Included in the documents to be presented to and approved by the Planning Board for any subdivision of more than 25 homes shall be a Wildlife Study Report, detailing plans for the relocation of all animals who would be disrupted by the subdivision."

7. We would also like to point out that there are several areas where certain activities are prohibited (such as removal of top soil), but we find that the ordinance does not provide for any administrative or legal remedies if the ordinance is violated. Therefore, the Township Attorney should be instructed to review each and every section with this in mind and include appropriate remedial action (such as we have specified in relation to the cutting down of trees without a permit).

8. The ordinance refers to districts designated 80/60, 60/40, etc. These districts are not represented on the map and should be deleted from the ordinance.

In closing, if the council has any questions, we would be glad to answer them now or at a meeting later this week. We will be more than just a little interested to see what modifications this body will make in accordance with the wishes of the residents of the community.

Sincerely,

Carol Abaya
Carol Abaya,
President
46 St. Lawrence Way
Marlboro

TOWNSHIP OF MARLBORO

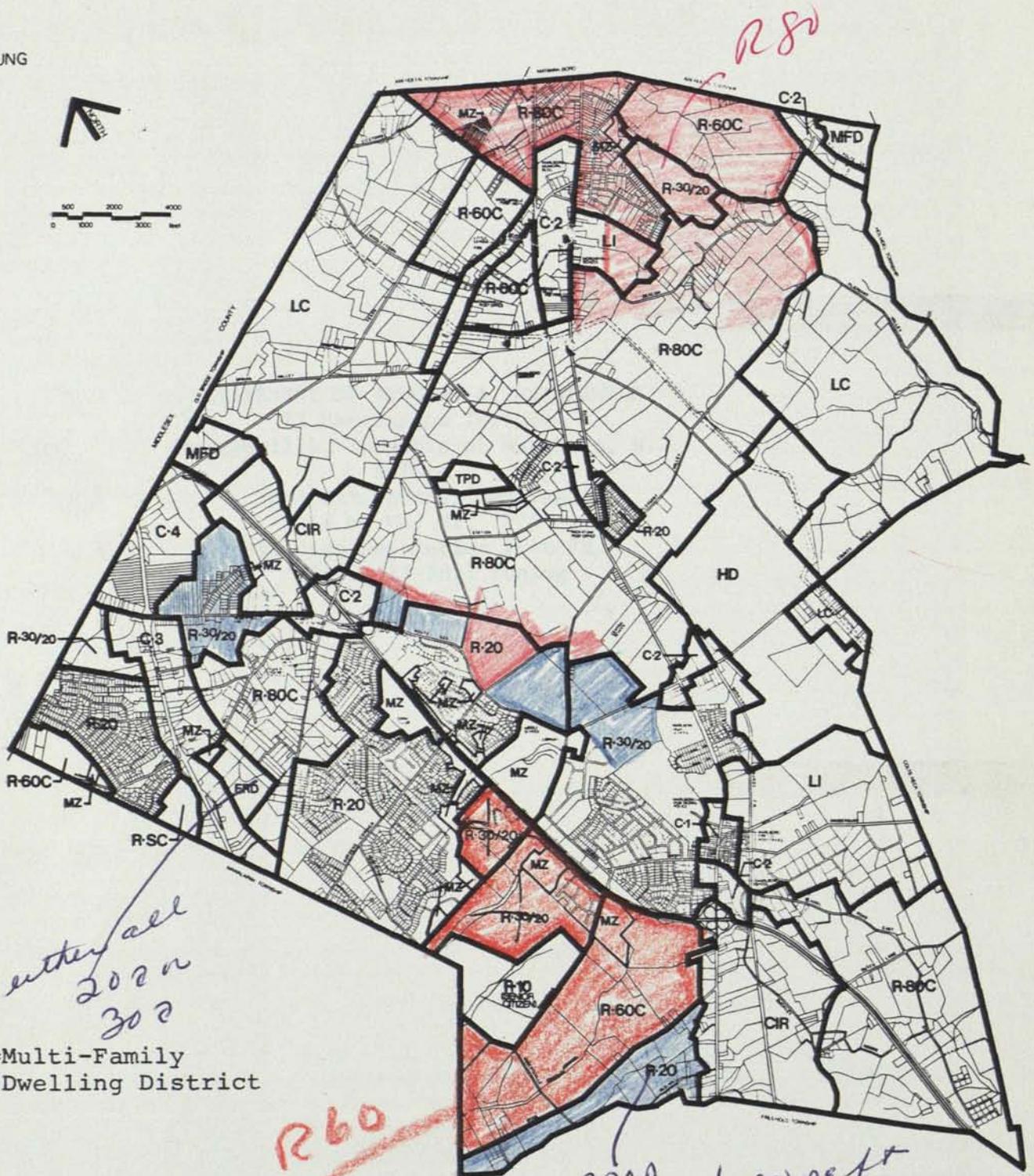
MARLBORO, NEW JERSEY 07746

(201) 591-9700

Mayor
ARTHUR GOLDZWEIG

Council President
JOHN F. CRODDICK

Council
HYMAN GROSSMAN
HOWARD KLAU
C. DOUGLAS McCLUNG
RICHARD VUOLA



MFD=Multi-Family Dwelling District

MARLBORO TOWNSHIP, NJ

ALEXANDER HELLER HASEROT INC

STATEMENT OF VINCENT A. MATULEWICH
22 Harrington Terrace
Morganville, Township of Marlboro, N.J.
Before
Special Council Meeting
Held on May 22, 1978
Regarding Resolution #146-78
(Ord. #13-78): Zoning

I would like to commend the Council and Planning Board for coming up, under difficult circumstances, with a Master Plan Map and Zoning Ordinance which, upon superficial examination, is fairly progressive in providing a degree of protection to the existing residence of Marlboro, while allowing for a balance of future development to occur. I am sure that in the months to come, your efforts will be put under critical review in the courts.

First, I would like to address the Master Plan Map - not in detail, but from the standpoint of its concept. For the Map is just one component in the Township Master Planning efforts - therefore, I, and I'm sure my fellow residents, eagerly await the publication of an official Master Plan so that we can all evaluate what the Planning Board has deemed to be our future. The Plan will or should, verbally, describe the land use, transportation, recreation, conservation and community facilities elements that are basic to Master Plans.

Now I would like to expressly commend the Council on its amendments tonight which would require major projects to submit an Environmental Assessment Statement and the provisions for floodplane zoning.

With regard to the EAS requirements, I would offer the following caution -- these statements are not the panacea that will make all development socially and environmentally acceptable. Taken by itself, the EAS does nothing. To be successful, this process requires that developers have the vision to retain consultants that will provide an objective assessment of the project rather than pay lip-service to the requirement. Further, it is the responsibility

of municipal officials, and to a certain extent, the residents, to assess the objectivity of these statements, so that a set of recommendations can be made to accommodate a particular project with the minimum impact upon existing residents and those that would result from a development. Therefore, the EAS should only be viewed as a tool and like any tool, it is only as effective as the user wants it to be.

Now I have some specific comments on the zoning ordinance. I realize that it may be too late to consider some of the points I will make tonight, however, I am hopeful that, at a later date, they would be considered in the form of amendments to the zoning ordinance. The exact wording of the ordinance makes it a very powerful tool, so as to avoid ambiguity - the following recommendations are offered:

Section 403.1 - Preservation of Natural Resources

Line 6 - The word "stream" needs further defining, as presently stated you would protect only streams flowing year round and not provide protection to intermittent stream and natural drainage swales.

Section 403.2 - Solid Waste Disposal

Line 4 - With regard to the location of landfill sites you state these are prohibited "with the exception of designated landfill sites." You may want to beef-up this section with siting, requirements, etc., as under certain situations the rulings of the Public Utilities Commission and NJDEP - Solid Waste Administration can supercede local zoning.

Line 5 - States "only inorganic matter may be used for the purposes of fill"- this seems to preclude "cleanfill" such as loamy soils, etc., which would have an organic matter content. Here, inorganic matter can be taken to mean sand or demolition debris, and it could also be taken to mean old refrigerators, car hulks, etc. This section should be amended to specifically exclude or include what you do or do not want disposed of as fill.

Sec. 403.24.2 - Tree Replacement

You specify that trees having a 6" caliber will be replaced, however, the replacement size is not indicated. It might

be more cost effective to clear a lot and replace it with inferior sized trees. Therefore, suggest at a minimum 1½" caliber replacements be called for. In the long run, this may preserve more of the 6" caliber trees.

Sec. 403.24.7 - Sediment Control Devices During Construction

Line 4 - States "if required" measure will be provided to control sediment during construction. This section may be in conflict with NJ Chapter 251, the Soil and Sediment Control Act, which requires a plan be submitted for land disturbances of greater than 5,000 square feet. This section should be amended to compel the developer to comply with appropriate state statutes.

Section 405.1 - Application Details

To facilitate the review process would recommend the following amendments to these subsections:

Under I - Include floodways and upland wetlands as natural features to be identified.

Under K - Those features identified in subsections I and J that would be altered, removed or impacted by the proposed project be specifically identified (existing water courses, wooded areas, right-of-ways, trees, etc.)

Under W - An evaluation of stormwater flows should be performed both on and off site.

Off site impacts have the greatest overall community impact, as illustrated by what has happened at Whitter Oaks and Harrington Estates.

Section 405.7 - Performance Guarantee

There are no direct limits set for posting performance bonds - suggest amending to reflect, at a minimum, 120 percent of the improvement, or if the scheduled is in the subdivision ordinance, then it should be duplicated here.

Section 406 - Performance Standards

I would suggest the Council investigate the feasibility of requiring a zero runoff performance standard. This would mean that no more runoff from the developed site would be allowed as that which came off the natural site.

New Sub-Section
Following
406.7

- To require smoke detection devices be installed in all new construction or turned over units - you should specify type, numbers and locations of these devices.

Sec. 605.1.1 - Buffer Areas

No provisions are given for the replacement of trees and other landscaping that may have expired during the first growing season. Suggest requiring performance bonding for these improvements until one year after improvement has been made.

Section 705.9 - States that no outdoor drainage pits or hydraulic lifts shall be permitted. To avoid confusion, suggest rewording to indicate that no drainage pits or hydraulic lifts shall be permitted outdoors - if this is the intent of the Council.

Sec. 1001.5 - Grading and Clearing Permit

This seems to require a permit for each tree removal greater than 6" in caliber. Line 13 attaches no fee if a building permit is required while Line 16 requires what amounts to a \$10 fee per A or could mean \$10 fee per permit (this is a little confusing). This fee would apply to grading and clearing not requiring a building permit or special use permit. This would allow clearing for parking lots and for agricultural uses. However, it does give the enterprising developer a loop hole in that he could clear for agriculture uses one year, stripping the land without replacing the trees, as these would be considered not compatible; the following year he could subdivide with not caring about tree replacement, as there would be no trees to replace. I would urge the Council to consider closing this apparent loop hole.

In closing, I would make the following observations - that the zoning ordinance is only as good as the people using it, therefore, it should be fairly and equally applied to all developers and people that come under its purview. The ordinance contains many provisions that protect the quality of life and is only as effective as it is enforced. To illustrate this point, I refer to Section 604.3.5, Line 7 which was part of the old ordinance, which states "that no political signs shall be allowed in any residential district."

Thank you for your attention, gentlemen.

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

MAY 25, 1978

The meeting was called to order by Council President Croddick at 8:04 P.M. After the salute to the flag, the Clerk called the roll which indicated that all councilmen were present. Also present were Deputy Mayor, James Newman; Township Attorney, Herbert B. Bierman; Business Administrator, Mary T. Denton; and Acting Clerk, Marjorie E. Currey.

The following Announcement of Meeting was read by the Council President:

"Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Daily Register on February 9, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Clerk."

A bid for garbage collection was received from Ray Jensen and turned over to the Business Administrator.

The Administrative Report was given by Deputy Mayor Newman because Mayor Goldzweig was in Freehold at a meeting of the Western Monmouth Transportation Board which was arranged when it was learned that the bus companies were asking for rate increases. Commuter operating agencies are sending representatives.

Mr. Newman read a letter from Howard Schoor of Schoor Engineering in response to one from the Mayor regarding urgently needed improvements on Wicker Place. This letter is attached and made a part hereof. A week of wet weather has not helped conditions there. Schoor will do the necessary work to free a non-functioning hydrant,

The Deputy Mayor brought with him a resolution which he asked council to place on the agenda for tonight. It provides for the release by the township of a parcel of land to the Veterans of Foreign Wars. By consensus, council agreed to vote on the resolution.

The Council President then asked whether anyone had signed up for the Citizen's Voice. Mrs. Alyce Lathrop was the first speaker.

She said that the missing section title she wrote to the Clerk about had not been placed in the new zoning ordinance. Mr. Bierman explained that it had been included in the amendments he had prepared which were adopted as part of the ordinance. She did not agree, although the Clerk had sent her the amendments. It was finally ascertained that she wants to see whatever zoning change permitted the building of houses on 1½ acres in Reid's Hill Estates. Since the previous minimum lot size on that side of Pleasant Valley Road was

three acres, there must be some record of a change, she kept insisting. Mr. Bierman informed her that the language refers to the largest lot size in that zone. It prohibits the cluster concept there. He said that her question should be directed to the Planning Board because it approves site plans, not the council. The Council President stated that the largest lot size in Marlboro is 5 acres (in the LC or Land Conservation zone). This is the way the land is zoned on her side of Pleasant Valley Road.

Councilman Grossman said he believes that Mrs. Lathrop is really talking about the subdivision ordinance, which is separate from the zoning ordinance. Mr. Newman explained that the zoning ordinance refers to the subdivision ordinance which she does not have. Council President Croddick said he would personally deliver to her a copy of our subdivision ordinance.

Mrs. Lathrop continued, saying she had attended a Planning Board meeting last night and presented a petition which was read by the chairman in a joking manner. It requests an Environmental Impact Study before clearance is given to Doree Construction Company to do any more building. She mentioned the traffic hazard which would result from the building already in progress.

Mrs. Lathrop wants council to do something about a member of the Planning Board. She requests his removal because he makes insulting remarks to her.

The second speaker in the Citizen's Voice was Arthur Silverstone who asked why the printing services for the township are being readvertised since his bid was in on time. Deputy Mayor Newman explained that after the deadline for receipt of bids, the town received bids from two other printers which were postmarked five days before the meeting and would obviously have been received on time had it not been for poor delivery service. The Post Office, when called, could offer no good reason for the delay. The administration then decided to knock out all bids and readvertise.

Mr. Silverstone did not accept this decision, saying he was a bidder whose bid was in on time. He believes he is the lowest bidder. He has been in business for twenty years and has done work for many organizations and businesses whose printing needs he has satisfied. His bid had the required check with it and he wants it accepted.

Attorney Bierman said council has the right either to reject or award a bid. Council President Croddick said that the two late bids were not being accepted; and that council does have the right to reject all bids and advertise again.

Mr. Silverstone defended his bid. His is a reliable company in New York City. His bid meets all the specifications set by the township.

Simply to throw it out is not fair.

Councilman Vuola said that Mr. Silverstone is correct; that a post-mark has no bearing on the bids. He and Councilman Howard Klau think that the award should be made to Mr. Silverstone. Council President Croddick said he had to agree; that if he were bidding and his bid was late, he would be out. Councilman Klau said that there is really no question facing council: the bid should go to Arthur Silverstone. Council President Croddick said he would have no problem awarding the bid tonight to Arthur Silverstone. The Deputy Mayor asked the clerk to note in the minutes that the Administration is in disagreement.

As no one else had signed up for the Citizen's Voice, the Council President declared it at an end.

Auditor John J. Collins informed the clerk that the minutes of this meeting must acknowledge the receipt of a Supplemental Debt Statement from him. The clerk hereby does so. The Statement, prepared by the auditor to support the bond ordinance to be introduced tonight, is in the files of the clerk for this meeting of May 25, 1978.

Councilman McClung offered Resolution #148-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Abe Solomon, trading as Morganville General Store, Tennent and Spring Valley Roads, Morganville, New Jersey, be renewed for the period beginning July 1, 1978, to June 30, 1979. Said license is Plenary Retail Distribution License No. D-2.

It was seconded by Councilman Vuola and passed by unanimous vote.

Councilman Grossman offered Resolution #149-78:

RESOLUTION ESTABLISHING PETTY CASH FUND FOR THE
ACTING CLERK IN THE TOWNSHIP OF MARLBORO, NEW JERSEY.

WHEREAS, the Township Council is desirous of establishing a petty cash fund in the office of the Acting Clerk in an amount not to exceed \$100.00, in accordance with N.J.S.A. 40A: 5-21;

NOW, THEREFORE, BE IT RESOLVED by the Township Council that Marjorie E. Currey, Acting Township Clerk, is hereby designated the Custodian of such fund in an amount not to exceed \$100.00; and

BE IT FURTHER RESOLVED that application be made to the Director of the Division of Local Government Services for his approval for such fund.

It was seconded by Councilman Vuola and passed by unanimous vote.

Councilman Klau offered Resolution #150-78:

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

AN ORDINANCE ADOPTING BASIC FIRE PREVENTION REGULATIONS FOR THE PROTECTION OF PUBLIC HEALTH, SAFETY & WELFARE IN THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on June 22, 1978, at 8:00 P.M. at the Marlboro Township Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

It was seconded by Councilman McClung and adopted by unanimous vote.

Councilman Vuola offered Resolution #130-78:

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

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF VARIOUS ROADS IN THE TOWNSHIP OF MARLBORO; THE CONSTRUCTION OF CERTAIN STORM DRAINAGE IN THE TOWNSHIP OF MARLBORO; THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWNSHIP OF MARLBORO; APPROPRIATING \$1,176,000.00 FOR SUCH PURPOSES AND AUTHORIZING THE ISSUANCE OF \$1,118,000.00 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF

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

BE IT FURTHER RESOLVED that the same be considered for final passage on June 22, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman McClung and adopted by unanimous vote.

Councilman Grossman offered Resolution #151-78:

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

AN ORDINANCE VACATING LANDS AND PREMISES
IN THE TOWNSHIP OF MARLBORO, COUNTY OF
MONMOUTH, NEW JERSEY

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

BE IT FURTHER RESOLVED that the same be considered for final passage on June 22, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman McClung and adopted by unanimous vote.

Councilman Klaw offered Resolution #152-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law:

Arts and Crafts Materials

It was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Vuola offered Resolution #153-78:

WHEREAS, there exists a need for the management and operation of the Marlboro Township Swim Club; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised;

NOW THEREFORE BE IT RESOLVED:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with John M. Freibaum, trading as Pool Management Associates.
2. This contract is awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the work is of such a qualitative nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids.
3. A copy of this resolution shall be published in the Asbury Park

Press as required by law within ten (10) days of its passage.

It was seconded by Councilman McClung and adopted by unanimous vote.

Councilman McClung offered Resolution #154-78:

WHEREAS the bids previously received for the use of a van to transport special education students during the summer were unsatisfactory and are hereby rejected;

NOW THEREFORE BE IT RESOLVED that the Township Business Administrator be and she hereby is authorized to readvertise for open, competitive bids for the work, labor and/or materials described above, namely, the use of a van to transport special education students during the summer, as required by law.

It was seconded by Councilman Vuola and adopted by unanimous vote.

Council President Croddick offered Resolution #155-78:

BE IT RESOLVED that the following meetings of the Township Council of the Township of Marlboro be and are hereby cancelled: caucus of July 24th and regular meeting of July 27th; caucus of August 21st and regular meeting of August 24th.

AND BE IT FURTHER RESOLVED that the Township Clerk be and she hereby is authorized and directed to notify the appropriate newspapers pursuant to the provisions of the Open Public Meetings Act.

It was seconded by Councilman Grossman and adopted by unanimous vote.

Councilman Klau offered Bill-Paying Resolution #156-78, a copy of which follows this page. It was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Vuola offered Bill-Paying Resolution #157-78 (Municipal Complex), a copy of which follows this page. It was seconded by Councilman McClung and adopted by unanimous vote.

Councilman McClung offered Bill-Paying Resolution #158-78 (Swim Club), a copy of which follows this page. It was seconded by Councilman Grossman and adopted by unanimous vote.

Councilman Klau offered Resolution #159-78: RESOLUTION REQUESTING CHANGE IN TITLE, TEXT OR AMOUNT OF APPROPRIATION PURSUANT TO N.J.S. 40A: 4-85 (Chapter 159, P.L. 1948).

WHEREAS, N.J.S. 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with

RESOLUTION #156-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Wickatunk Postmaster	Administration	6.86	17360
P.E.R.S.	Emp. Pay. Deduct.	2,809.15	17361
P.E.R.S.	" " " "	296.00	17362
St. of N.J. Div. Of Tax	" " " "	1,819.11	17363
Wickatunk Postmaster	Administration	10.01	17364
Net Payroll Account	Net Payroll Exchange	52,652.60	17365
C.J.B.T.Co.	F.I.T. Emp. Pay. Ded.	8,516.88	17366
Marlboro First Aid Squad	First Aid Org. Contrib.	15,000.00	17423
Morganville First Aid	" " " "	15,000.00	17424
Women's Resource Center	Women's Resource Cent.	600.00	17425
Mon. Assoc.of Retarded Children	Recreation Special Olym.	500.00	17426
Morganville Postmaster	Administration	308.85	17427
Marlboro Postmaster	" "	108.68	17428

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Public Assistance	Public Assistance	1,596.00	570-580
N.J. Div. Fish Game & Shellfish	License Trust a/c	846.00	41
N.J. State Dept. of Health	Dog License a/c	26.00	1533
Kaida Poliharpus	Bldg. Trust Fund	100.00	75
	TOTAL:	100,196.14	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Asbury Park Press Inc.	Administration	33.00	
Automation Papers Co.	" "	85.90	
The Bannister Co.	" "	17.90	
Matthew Bender & Co.	" "	127.50	
The Bayshore Independent	" "	34.00	
Sears Roebuck & Co.	Admin. 97.09 Grd.Main <u>40.19</u>	137.28	
L.D. Seely Co.	Administration	257.94	
Western Union	Legal Services & Costs	12.60	
Brewer Associates	Engineer	40.83	
August Plumbing & Heating	Pub. Bldg. & Grds 1977	18.00	
Super Service Bus Co.	Senior Citizens	152.50	
Jacob Emmanuel, Inc.	Insurance	14,782.30	
Lascar Distributors	Police	123.00	
International Assoc. of Arson Investigators	Fire Marshall	20.00	
N.J. State Police Training Center	Police	75.00	
Bayshore Community Hosp.	Hospital Contributions	2,500.00	
Edward Savoie	Inspections	9.00	
Rutgers University	" "	107.00	
Bayshore Stationers	Sts. & Rds. 35.17 Grds.Maint. <u>5.92</u>	41.09	
Dunlop & Iisk Pottery Co.	Sts. & Rds.	1.25	
Lyncar Corp.	" "	134.05	
Franklin's Garage	Equip. Maint.	206.76	
A.S. Gilbert Inc.	" "	29.25	

VENDOR	APPROPRIATION	AMOUNT	CK, #
Matty's Auto Parts, Inc.	Equip. Maint.	2,038.18	
Sprague's Oil Service Inc.	" "	3,910.09	
Joseph A. Mazzeo	Grds. Maint. 76.40 Police <u>74.60</u>	151.00	
J.C.P.L.Co.	St. Lighting 477.32 Utilities <u>659.37</u>	1,136.69	
N.J. Bell	Utilities	946.14	
Kepwel Spring Water Co. Inc.	" "	36.25	
M.C.O.S.S.	M.C.O.S.S.	1,500.00	
Freehold Township Parks & Rec.	Recreation	50.00	
Siperstein's	Recreation	55.00	
Alexander Heller Haserot	Special Emergency Authorizations 5 years	3,000.00	
Hillpot Farm Stores Inc.	B.O. 3-74 28.50 Grds. Maint. <u>13.88</u>	42.38	
C.H. Roberson, Inc.	B.O. 18-75 21.59 Sts. & Rds. <u>19.20</u>	40.79	
Bill Murry's Auto & Glass Inc.	B.O. 3-74	163.35	
Builders Block & Supply Co. Inc.	B.O. 18-75	191.30	
	TOTAL:	32,207.32	
Greenwood Bus Company	Recreation	1,658.50	

OFFERED BY: Klau

AYES: 5

SECONDED BY: Vuola

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

5/19/78
Date

Shula F. Hibbs
Treasurer

May 25, 1978

RESOLUTION # 157-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Witthoefft & Rudolph Architects	B.O. 20-77	1,741.00	
Emanuel Milstein	B.O. 20-77	2,400.00	
	Total:	4,141.00	

OFFERED BY: Vuola

AYES: 5

SECONDED BY: McClung

NAYS: 0

Mafjorie E. Currey
Mafjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

5/19/78

Treasurer

Luella Fisher

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro T.M.U.A.	Swim Pool	192.00	
W.M.U.A.	" "	382.50	
Fishkin Bros. Inc.	" "	40.80	
Garden State Laboratories	" "	195.00	
S. Kantor	" " Waiting List Refund	20.00	
Cramar Electric	" "	1177.00	
	Total:	830.30	

OFFERED BY: McClung

AYES: 5

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

5/19/78
Date

Shela Lippin
Treasurer

the consent of, the governing body of any county or municipality, make such correction of the title, text or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any such county or municipality,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A: 4-85, the Township of Marlboro hereby requests the Director of the Division of Local Government Services to make the following corrections in the budget of the year 1978:

	<u>From</u>	<u>To</u>
Recreation and Education:		
Recreation and Open Space:		
Division of Recreation		
Salaries and Wages	\$106,000	\$99,100
Other Expenses	\$ 34,200	\$41,200

and BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute above referred to, and is necessary for the orderly operation of the municipality for the reasons hereinafter set forth:

To conform the Township's line appropriations to Recreation Committee program.

It was seconded by Councilman Grossman and adopted by unanimous vote.

This was the end of the prepared agenda but, by concensus, Council agreed to vote upon the following resolutions in order to expedite various categories of township business:

Resolution #130A-78, offered by Councilman McClung: RESOLUTION MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S. 40A: 2-7 (d) -

WHEREAS, the Township of Marlboro in the County of Monmouth, desires to provide funds in the amount of \$1,176,000.00 to finance the cost of:

Reconstruction of Roads	- \$925,200.00
Drainage Improvement	- 72,800.00
Purchase of Equipment	- 71,000.00
Purchase of Automotive Vehicles	- 107,000.00

(hereinafter called "purpose") a purpose for which obligations are permitted by the Local Bond Law, and as shown by the supplemental debt statement filed in connection with the ordinance hereinafter

described, the Township of Marlboro has exhausted its powers to issue obligations within the debt limitations prescribed by said law, and

WHEREAS, pursuant to N.J.S. 40A: 2-7 (d), obligations to finance said purpose may be issued with the consent of the Local Finance Board in the Division of Local Government, in the Department of Community Affairs, which consent is to be indorsed upon a certified copy as passed on first reading of the ordinance authorizing such obligations, if said Board is satisfied, and makes the findings required, and

WHEREAS, the Township of Marlboro has passed on first reading an ordinance entitled: AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF VARIOUS ROADS; THE COST OF CERTAIN STORM DRAINAGE IN THE TOWNSHIP OF MARLBORO; THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE USE OF THE TOWNSHIP OF MARLBORO; APPROPRIATING THE AMOUNT OF \$1,176,000.00, which proposed ordinance authorizes obligations for said purpose,

NOW, THEREFORE, BE IT RESOLVED by the Township of Marlboro, in the County of Monmouth, as follows:

Section 1. The Township of Marlboro believing that said proposed ordinance authorizes obligations for a purpose for which obligations are permitted by the Local Bond Law and that the Township's application to the Local Finance Board for its consent shows:

- (a) it is in the public interest to accomplish such purpose,
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township,
- (c) the amounts to be expended for each such purpose or improvements are not unreasonable or exorbitant,
- (d) the issuance of the obligations in the amount of \$1,118,000.00 pursuant to such ordinance will not materially impair the credit of the Township,
- (e) the issuance of the obligations in the amount of \$1,118,000.00 pursuant to such ordinance will not substantially reduce the Township's ability to pay punctually the principal and interest on its debts,
- (f) the issuance of the obligations in the amount of \$1,118,000.00 will not substantially reduce its ability to supply other essential public improvements and services.

The application to the Local Finance Board is hereby approved by the Township Council, and the Chief Financial Officer of the Township of Marlboro is hereby authorized to execute such application together with such other municipal officials as deemed proper.

Section 2. The Acting Township Clerk be and she is hereby directed to prepare and file a certified copy of said proposed ordinance (as passed) on first reading with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record by resolution its findings as provided in said subsection of the Local Bond Law and to endorse its consent upon a certified copy of said ordinance as passed on first reading.

This resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Resolution #160-78 was offered by Council President Croddick:

WHEREAS, the Mayor and Township Council of the Township of Marlboro desire to make available certain lands and premises for use by the Marlboro Township Memorial Post No. 4701, Veterans of Foreign Wars of the United States; and

WHEREAS, the Marlboro Township Memorial Post No. 4701, Veterans of Foreign Wars of the United States, has requested that the lands and premises described in Schedule "A" attached hereto and made a part hereof be leased to it for use in connection with the purposes of the said Marlboro Township Memorial Post No. 4701, Veterans of Foreign Wars of the United States;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That a certain Lease between the Township of Marlboro and the Marlboro Township Memorial Post No. 4701, Veterans of Foreign Wars of the United States, recommended by Mayor Arthur Goldzweig, is hereby ratified and approved.
2. That the Mayor and Township Clerk are authorized and directed to execute said Lease and to deliver same to the Marlboro Township Memorial Post No. 4701, Veterans of Foreign Wars of the United States.

Councilman McClung seconded the Resolution and it was adopted by unanimous vote.

Resolution #161-78 was offered by Councilman Grossman:

WHEREAS, the Township Council of the Township of Marlboro is in receipt of Senate Bills Nos. 859, 860 and 861 introduced by Senator Joseph P. Merlino which establish an Energy Relief Fund from revenues of the Public Utilities Excise Taxes; and establish a state energy coupon program and authorize the use of funds to aid in the establishment and maintenance of a "Lifeline" utility rate for eligible users; and

WHEREAS, Senate Bill No. 859 proposes to amend the franchise and gross receipts tax law by providing that a sum equal to 75% of the excess above the amount received in 1977 and any funds which are in excess of \$1,200 per capita in any municipality will be diverted to the Energy Relief Fund and thus municipalities will receive only 25% of the growth after 1977 instead of 100% of the growth as had been the case in previous years; and

WHEREAS, the Township of Marlboro in the County of Monmouth is a municipality that is still experiencing growth in the areas of commercial, industrial and residential development; and

WHEREAS, a portion of the utility bills that the taxpayers and residents of the Township of Marlboro pay is returned to the municipality in the form of franchise and gross receipts taxes; and

WHEREAS, the anticipated revenues of these taxes constitute \$451,000 in the 1978 municipal budget of the Township of Marlboro; and

WHEREAS, Senate Bill No. 859 which would take away 75% of the annual growth in these taxes to be diverted to an Energy Relief Fund would cause an adverse effect upon the taxpayers of the Township of Marlboro by raising property taxes; and

WHEREAS, it is the opinion of the Township Council of the Township of Marlboro that the adoption of these bills will discriminate against municipalities which are in a growth stage and which have relied upon the revenues generated by the franchise and gross receipts taxes to meet their growing requirements;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that it does hereby go on record as opposing Senate Bill No. 859 as not being in the best interest of the citizens of the Township of Marlboro and similarly situated municipalities which are in growing stages.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

1. The Legislative Delegation of the County of Monmouth
2. Contiguous municipalities in Monmouth County
3. The Governor of the State of New Jersey

It was seconded by Councilman Vuola and adopted by unanimous vote.

Resolution #162-78 was offered by Councilman Vuola:

BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro:

1. That the Change Orders attached hereto do not exceed the original contract for the Marlboro Township Municipal Complex by twenty per cent (20%);
2. That the Change Orders attached hereto are hereby approved subject to the approval of the architect for the Municipal Complex; and
3. That the Township Treasurer shall certify that the bonds required are available.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #163-78 was offered by Councilman Vuola:

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

GREENWOOD BUS SERVICE INC.

of 327 Greenwood Road, Morganville, New Jersey, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

1. Bus Transportation for Summer Recreation Program on their low bid of:

10 Mile Round Trip	\$24.35	60 Mile Round Trip	\$54.35
20 " " "	\$33.35	70 " " "	\$57.35
30 " " "	\$38.35	80 " " "	\$64.35
40 " " "	\$43.35	90 " " "	\$72.35
50 " " "	\$48.35	100 " " "	\$81.35

2. Summer Recreation Bus Runs #1, 2 & 3:
Total Bid = \$2,974.00

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Greenwood Bus Service Inc.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Resolution #164-78 was offered by Councilman Vuola:

BE IT RESOLVED by the Township Council of the Township of Marlboro that HARBY'S SPORTS INC. of West County Line Road, Jackson, New Jersey, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Baseball Caps @ \$1.25 each
Softballs @ \$25.00 a dozen
Louisville Slugger Bats @ \$45.00 a dozen
Adirondack Bats @ \$44.00 a dozen
Umpires Chest Protectors @ \$18.00

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Harby's Sports Inc. on their low bid of above prices per specifications and bids attached.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #165-78 was offered by Councilman Vuola:

BE IT RESOLVED by the Township Council of the Township of Marlboro that MIDDLE ATLANTIC SPORTS CO. (MASCO SPORTS) be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Catchers Helmets @ \$7.25
Batting Helmets @ \$5.45
Duffle Bags @ \$4.85
Bases @ \$13.85 a set
Scorebooks @ \$22.20 a dozen
Home Plate @ \$12.00
Umpire Indicators @ \$.75

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Middle Atlantic Sports Co. on their low bid of above prices per specifications and bids attached.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #166-78 was offered by Councilman Vuola:

BE IT RESOLVED by the Township Council of the Township of Marlboro that JOSEPH A. MAZZEO of 8 Warren Drive, Marlboro, New Jersey, be and he is determined to be the lowest bidder covering the following work, labor and/or materials: Radio Repair and Maintenance.

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Joseph A. Mazzeo on his low bid for labor and materials attached.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #167-78 was offered by Councilman Klau:

BE IT RESOLVED by the Township Council of the Township of Marlboro that MARLBORO DRY CLEANERS trading as Betty Brite Cleaners, located at Routes 520 and 79, Marlboro, New Jersey, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: Dry Cleaning and Maintenance of Police Uniforms and Detectives' Clothing.

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract document documents now on file with the Township Business Administrator be and the same is hereby awarded to MARLBORO DRY CLEANERS trading as Betty Brite Cleaners on their low bid of \$297.50 per month.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Resolution #168-78 was offered by Councilman Vuola:

BE IT RESOLVED that RAYMOND JENSEN of 443 Brown Road, Morganville, New Jersey, be and he is determined to be the lowest bidder covering the following work, labor and/or materials:

Swim Club Garbage Collection - \$110.00 per month
from June 1st through September 15, 1978.

Municipal Offices Collection - \$50.00 per month.

Police & Road Dept. Garbage Collection - \$65.00 per month

Pick up at 4 Recreation Sites July 5th through August 15th,
1978 - \$110 for 6 week program.

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to RAYMOND JENSEN on his low bid as per above figures.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #169-78 was offered by Councilman Klau:

BE IT RESOLVED that RED THE TAILOR INC. located at the corner of Route 70 and Route 547 in Lakehurst, New Jersey, be and he is determined to be the lowest bidder covering the following work, labor and/or materials: Marlboro Township Police Uniforms and Dispatchers' Uniforms.

That the bid prices covering the said materials are now on file with the Township Business Administrator and the contract for the same is hereby awarded to RED THE TAILOR INC. on his low bids on various items as listed on the attached pages.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Resolution #170-78 was offered by Councilman Vuola:

BE IT RESOLVED by the Township Council of the Township of Marlboro that EFINGER SPORTING GOODS CO. of 513 W. Union Avenue (Rt. 28), Bound Brook, New Jersey, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Aluminum Bats @ \$85.00 a dozen
Chest Protector (Little League) @ \$8.50
Chest Protector H.S. Grade @ \$10.75
Catchers Masks @ \$9.80
Leg Guards @ \$9.80

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to EFINGER SPORTING GOODS CO. on their low bid as per above specifications and bid attached.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #171-78 was offered by Councilman Klau:

BE IT RESOLVED that SPORTMASTER be and they are determined to be the lowest bidder covering the following work, labor and/or materials:
40 Carrying Nets for Soccer Balls @ \$81.00 for the lot

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Sportmaster on their low bid of \$81.00 for 40 nets.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Resolution #172-78 was offered by Councilman Vuola:

BE IT RESOLVED that the Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law: Two Police Cars.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Resolution #173-78 was offered by Councilman Vuola:

BE IT RESOLVED that TRADE PRINTING CORP. of 627 Greenwich Street, New York, New York, 10014, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

4000 60 lb. offset 4-page folds - \$245.00
4000 60 lb. offset 2-page folds - \$150.00

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Trade Printing Corp. on their low bid of \$245.00 for 4000 60 lb. offset 4-page folds and \$150.00 for 4000 60 lb. offset 2-page folds.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted by unanimous vote.

Council President Croddick offered Resolution #173A-78:

WHEREAS, there is presently pending before the State Legislature a bill designated as Senate Bill No. 505 entitled "An Act Concerning the Determination of the Housing Needs of Counties and Municipalities, and the Setting of Housing Allocations and Designation of Appropriate Site Locations Therefor, . . ." and commonly referred to as the alleged "Comprehensive and Balanced Housing Plan Act"; and

WHEREAS, it is the sense of the Township Council of the Township of Marlboro that this proposed legislation is not in the best interest the various municipalities of the State of New Jersey, but rather will result in more extensive State control of local matters, burden municipalities with additional litigation and further burden the residents with additional expenses of litigation and bureaucracy; and

WHEREAS, in the general election of 1977 the residents of Monmouth County voted overwhelmingly in favor of allowing matters such as zoning and housing allocation to remain a question for local determination and rule; and

WHEREAS, this proposed bill is contrary to home rule and provides for control and sanction by State agencies;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that it is opposed to the adoption of Senate Bill No. 505.

BE IT FURTHER RESOLVED that the Clerk forward a certified copy of this Resolution to the Clerks of all contiguous municipalities urging that this Bill be called to the attention of their governing bodies so that they might express their views with regard to the same prior to its consideration by the State legislature.

BE IT FURTHER RESOLVED that the Clerk forward a certified copy of this Resolution to members of the Monmouth County legislative delegation and to the Governor of the State of New Jersey.

The Resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Council President Croddick announced the Public Session.

John Batton of 21 Harrington Terrace, Morganville said he was interested in parks and sewers, principally the Morganville Sewer System which has been proposed. He asked when the park in his area would be completed. The Business Administrator replied that she has not received Green Acres funding on this park yet. Attorney Bierman said the application was returned to the State and that plans must be prepared and submitted to the State. These plans are almost ready. Councilman Klau said he thought the plans were complete when the application was submitted. The Business Administrator said that our plans cover things not covered by Green Acres. Council President stated that he would give John Batton the information he wants as soon as he has found out from the Township Engineer when the plans will be ready. He said we hope to build the park this summer. Attorney Bierman said we have to be underway within 150 days.

With regard to the Morganville sewer system and its status, Mr. Batton was informed that two bids have been awarded by the WMUA and that additional bids will be received on June 6th. Attorney Bierman explained the Manalapan point of view. Manalapan submitted affidavits last Monday. The Judge will want some response from Marlboro. There is an argument on the stay of the award of bids by the WMUA. Manalapan wants to stop the project. The Court will act quickly. If the stay is granted, that will end the project. The Environmental Protection Agency will not give a grant if a delay occurs. Mr. Bierman assured those present that Marlboro is doing everything possible to keep the grant alive. If there is no stay, the bids can all be awarded and the WMUA can select its contractors. Mr. Batton continued to ask what would happen if the stay is granted and if the right of veto by one party is upheld.

Arthur Silverstone of 6 Monroe Drive in Fairfield Manor said there are many problems there. Last summer the concrete which the builder ripped up was poorly repaired in a different color. He believes it should be fixed now and not permitted to split further. Council

President Croddick said it was almost impossible to match a color in concrete. Mr. Silverstone objected not only to the bad color but also to the poor job of patching. Mr. Croddick said he would ask the township attorney if we have any recourse. He wants the township to take the builder's bonds, but will have to consult Mr. Bierman on this matter.

Mrs. Alyce Lathrop asked who is responsible for enforcing the subdivision ordinance and was told it is Ed Savoie, the Zoning Officer. She complained that Doree Construction came in with a subdivision of ten houses, finished them and then came in with a new subdivision of twenty more. She was told that one has nothing to do with the other. She said that even though they are called sections 1 and 2, it is all Reid's Hill Estates. She asked why we have ordinances if they are not enforced. Council President said that the development came in in two subdivisions. It is back before the Planning Board now. She then wanted to know what board approved the Environmental Impact Statement. The Township Attorney explained that this statement must be presented to the Planning Board or the Zoning Board and the particular board must approve it. The source of this is State law, the Land Use law.

Stan Ritter of Old Mill Road said the road is hazardous for cars and for people living on it. He asked Council's position on this. The Council President told him that the Road Department has graded and filled; and that this road is included in the bond ordinance which council hopes will be approved to be paved and widened as a regular township street. Mr. Ritter objected to the prospect of the road being widened. Mr. Croddick said the road would be widened but there would be no curbs or sidewalks. It is essential that police cars and school busses be able to pass. If our Engineer says the road has to be widened, it must be done.

An unidentified lady who lives on Mill Road then spoke saying the Engineer had told her the road would not be widened; just that one curve would be taken out. Another resident of the street asked what would happen if the amount of the bonding was reduced. Would Council have to remove Old Mill Road from the bond issue. Council President Croddick said that dirt roads must be paved and that it looks as though we will get the approval of the bond ordinance. Mr. Ritter asked when and Mr. Croddick said some time this summer.

Honey Davis inquired about a garbage clean-up on Texas Road. The Business Administrator said there would be one. Mrs. Davis complained about people dumping old chairs and cans in front of her house. The garbage there is a disgrace. Mr. Ritter said there was garbage on Old Mill Road that should be removed, and he suggested "No Littering" signs. Deputy Mayor Newman said he is not sure such signs will discourage people. There being no other speakers at the Public Session,

Councilman McClung moved for adjournment with Councilman Vuola seconding the motion and all voting in favor. The meeting was adjourned at 11:12 P.M.

<u>SDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Edward Savoie	Inspections	173.55	
C.H. Roberson, Inc.	Equip. Maint. 34.30 Sts. & Rds. <u>11.00</u>	45.30	
Bayshore Bandag Tire	Equip Maint.	411.88	
Gen. G.M.C. Sales Inc.	Equip. Maint.	7.64	
Hydrair Inc.	" "	132.85	
Tom's Ford Inc.	" "	18.69	
W.H. Potter & Son, Inc.	Grds. Maint.	6.00	
V.E. Ralph & Son, Inc.	Grds. Maint.	6.50	
J.C.P.L.CO.	St. Lighting 6,364.56 Utilities <u>1,009.60</u>	7,374.16	
Kepwel Spring Water Co.	Utilities	34.50	
Marlboro T.M.U.A.	" "	72.00	
N.J. Bell	" "	123.69	
N.J. Natural Gas Co.	" "	114.52	
Associated Humane Societies	Dog Regulations	442.85	
Eccolo Designs, Inc.	Recreation	60.80	
Mid-N.J. Youth Soccer Assoc.	" "	185.00	
Perrys II - Trophy Co.	" "	291.39	
Ray Croft Dist. Wholesale Dist. Lawes Coal Co.	Recreation	11.30	
William Mechmann	Library	52.35	
Milor Service Inc.	Library	498.75	
P.E.R.S.	P.E.R.S. Township Share	61,384.00	
Monmouth County Garden Center	B.O. 3-74	49.90	
Trap Rock Industries Inc.	B.O. 3-74	176.97	
The Cumming Co. Inc.	B.O. 10-77	40,432.00	
	TOTAL:	498,395.23	

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro Twsp. Gen. A/C	Anti-Recession Fund a/c	3,678.00	103
Marlboro Twsp. Gen. A/c	Public Works Trust	136,500.00	101
	Total:	329,166.11	

RESOLUTION # 178-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Wickatunk Postmaster	Tax Collector o/e	838.20	17430
N.J. Employer H.B. Fund	Health Benefits	2,239.44	17431
N.J. Depend. H.B. Fund	" "	2,373.52	17432
James M. Valerio- Constable	Empl. Pay. Deduc.	95.76	17433
Marlboro Twsp. Net Pay. Acct.	Net Payroll Exchange	37,489.98	17477
C.J.B.T.Co.	Employ. Pay. Ded.	6,559.07	17478
Wickatunk Postmaster	Tax Collector o/e	120.00	17473
Mary Denton, Petty Cash	Administration	49.14	17479
Mark Hellinger Theatre	Senior Citizens	778.50	17481
Public Assistance	Public Assistance	600.50	581-583
Charles C. Smith	Dog License	126.00	1534
Marlboro Twsp. Gen. Acct.	Federal Revenue Sharing	17,718.00	419
Marlboro Twsp. Gen. Acct.	Capital Account U.J.B.	120,000.00	179

DONOR	APPROPRIATION	AMOUNT	CF.
Municipal Fire Dist. # 3	Municipal Fire Dist. # 3	19,080.00	
Bd. of Fire Commissioners	Fire Dist. # 1	23,662.50	
Municipal Bd. of Ed.	Local School Dist.	310,021.00	
Fireside Lodge	Refund of Prior Years Revenue	112.00	
Asbury Park Press	Administration	93.00	
The Bayshore Independent	Admin. 466.45 Economic Dev. 318.78	785.23	
Bayshore Stationers	Admin. 213.42 Police 8.72	222.14	
I.B.M.	Admin.	134.00	
Joseph La Mura	Tax Assessor	112.80	
Harry Frank-Printer	Tax Collector	55.50	
Herbert B. Bierman	Legal Services & Costs	225.00	
Usher Publishing Co.	Municipal Court	205.36	
B & I Locksmith	Pub. Bldg. & Grds.	4.50	
C.J.B.T.Co.	" " "	3,375.00	
Raymond Jensen	" " "	115.00	
Norman B. Kauff, Esq.	Bd. of Adjust. Cont. Serv.	388.34	
R. Helfrich & Son Inc.	Senior Citizens	115.00	
Jacob Emmanuel, Inc.	Insurance	27,197.00	
Miller Uniforms	Fire Marshall	55.30	
National Fire Protection Assn	Fire Marshall	39.00	
Div. of State Police	Police	60.00	
Marlboro Dry Cleaners Inc.	Police	208.00	
N.J. State Juv. Off. Assn.	Police	12.00	
Scrub-A-Dub of Cambridge	Police	33.00	

OFFERED BY: Grossman

AYES: 5

SECONDED BY: McClung

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

6/5/78

Date

Sheila F. Fillion

Treasurer

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

JUNE 8, 1978

The meeting was convened at 8:00 P.M. by Council President John F. Croddick.

After the salute to the flag, the roll was called and the following answered "here": Councilmen Grossman, Klau and Croddick. By 8:06 P.M. Councilmen Vuola and McClung had arrived. Also present were Mayor Goldzweig, Township Attorney Bierman, Business Administrator Mary t. Denton and Acting Clerk, Marjorie E. Currey.

Council President John F. Croddick read the following announcement of meeting:

Pursuant to the requirements of the Open Public Meetings Act, notice of this meeting was:

1. Sent to the Asbury Park Press and The Daily Register on February 9, 1978;
 2. Posted on the Bulletin Board of the Municipal Offices;
- and
3. Filed in the office of the Clerk.

Mayor Arthur Goldzweig gave an Administrative Report in which he read the citations on the Red Cross Certificates of Merit recently awarded to Patrolmen John Haynes and George Trampler for their prompt and sustained use of cardio-pulmonary resuscitation until the arrival of an ambulance to transport a heart-attack victim to the hospital. Their application of CPR, in which they had received Red Cross Training, undoubtedly saved the life of the person last January. These certificates are only the second and third such certificates of merit awarded in Monmouth County.

The Mayor then mentioned a recent meeting of the Western Monmouth Transportation Board which the State did attend. The Board was formed to improve bus and rail transportation in the area. Art Kamin of The Sunday Register sent the Mayor the original drawing of a cartoon on the subject which had appeared in last Sunday's Register. The Mayor will hang it in his office.

The following people signed up for the Citizens Voice portion of the meeting:

1. Sheila Alterman of 27 Millay Rd., who spoke about the problems of Hawkins Road Park.
2. Stephen Kurzer, 29 Millay Rd., who said conditions must be improved at the park without delay. Many improvements should have been made a year ago, according to this gentleman.
3. Alyce Lathrop of Pleasant Valley asked for an inventory of

environmental resources without further delay. She also persisted in her efforts to find out how and why the houses in Reid's Hill Estates were permitted to be built on 2-acre lots.

4. Members of the History Club of Robertsville School made a presentation to Mayor and Council of a book entitled "Exploring Marlboro" for which they had done the research. A newspaper photographer took pictures of the children with the Mayor and members of the Council.

5. Lloyd S. Leff, 22 Wylie Terrace, spoke about his concern for the extension of certain paper streets in the area of Sandburg Drive.

6. G. M. Barcus, 23 Millay Rd., said the facilities at Hawkins Road Park are deteriorating so rapidly that immediate action must be taken, since it is easier and less expensive to maintain than to rebuild.

In the course of the various references to Hawkins Road Park, Councilman Grossman said that until the town could provide adequate protection for people and property there it was his recommendation that the park be closed. Mr. Kurzer did not agree with him

Councilman Vuola said he had written to the CETA Program in an effort to obtain personnel for security at Hawkins Road Park. He asked for 3 people, but would be glad to accept one, for this new type of program. The person to whom he was directed is a Mr. Tom Richter.

Council President Croddick introduced Larry Anzivino, Executive Director of the New Jersey Mayors' Association, who presented a plaque with a citation of merit to Mayor Goldzweig thanking and honoring him for his work in the field of municipal taxation.

Councilman McClung introduced the following resolution:

Res. #174-78 (Eliminating Recreation Fees for Senior Citizens)

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

Ordinance #17-78

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING FEES FOR PARTICIPATION IN THE RECREATION PROGRAM OF THE TOWNSHIP OF MARLBORO"

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

BE IT FURTHER RESOLVED that the same be considered for final passage on July 13, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Seconded by Councilman Klau and carried unanimously.

Councilman Grossman offered the following resolution:

Resolution #176-78

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

ORDINANCE #14-78

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED " AN ORDINANCE OF THE TOWNSHIP OF MARLBORO ESTABLISHING A PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291 OF THE LAWS OF THE STATE OF NEW JERSEY 1975; PROVIDING FOR THE POWERS OF SAID BOARDS; FIXING THE PROCEDURES GOVERNING APPLICATIONS TO SAID BOARDS AND APPEALS THEREFROM"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman McClung and carried by unanimous vote.

Resolution #177-78, providing mileage payment for the Acting Clerk, was rescinded on advice of Judge Bierman after being introduced by Council President Croddick and seconded by Councilman Klau. The reason for this is that, at the June 5th Caucus, Council had agreed that the Township Attorney prepare a resolution authorizing mileage payment of 15¢ per mile for all township personnel who use their personal cars on township business. This being the sense of Council, and the Clerk's caucus notes show clearly that it is, the aforementioned resolution prepared by the Clerk was withdrawn.

Resolution #181-78 was introduced by Councilman Vuola:

WHEREAS the assessed owners, William and Shirley Warren, of property known as Block 21 Lot 11 have redeemed Tax Sale Certificate #77-26 to the tax collector of the Township of Marlboro; and

WHEREAS this lien was issued for water delinquencies, The Marlboro Township Municipal Utilities Authority is entitled to \$590.89;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$590.89 be refunded to the Marlboro Township Municipal Utilities Authority.

Seconded by Councilman McClung and carried by unanimous vote.

Resolution #182-78 was introduced by Councilman Klau:

WHEREAS, the rightful owner of property designated as Block 51C, Lot 1, has redeemed respective Tax Sale Certificate to the Tax Collector of the Township of Marlboro; and

WHEREAS, this lien was issued for sewer delinquency, the Western Monmouth Utilities Authority is entitled to this payment amounting to \$509.66;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$509.66 be refunded to the Western Monmouth Utilities Authority.

Seconded by Councilman Grossman and carried by unanimous vote.

Resolution #183-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Morganville Bar & Grill, Inc., Turid M. Henriksen, President, located at Box 80B, Tennent Road, Morganville, New Jersey, be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-7.

Seconded by Councilman Grossman and carried by unanimous vote.

Resolution #184-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Eugene J. and Leocadia Janowski, trading as Fireside Lodge, located at Route 79, Marlboro, New Jersey, be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-4.

Seconded by Councilman Vuola and carried by unanimous vote.

Resolution #185-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by C.A.S. Bar and Grill Corp., trading as Sportsmans Bar & Grill, located at RFD No. 1, Box 178B, Route 9, Marlboro, New Jersey (Postal address Englishtown, New Jersey) be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-5.

Seconded by Councilman Vuola and carried by unanimous vote.

Resolution #186-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by LuElen Enterprises, Inc., trading as Marlboro Inn, located on Main Street, Marlboro, New Jersey, be renewed for the period beginning Jly 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-2.

Seconded by Councilman Grossman and carried by unanimous vote.

Resolution #187-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Harry C. Genovese and Peter F. Genovese trading as Marlboro Liquors, Inc., located at Route 79 and Route 520 in Marlboro, New Jersey, be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Distribution License No. D-1.

Seconded by Councilman Vuola and carried by unanimous vote.

Resolution #188-78 was introduced by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Nats Four, Inc., trading as The Tram, located at R.D. 3, Box 175B, Route 9, Marlboro, New Jersey (postal address Englishtown, New Jersey), be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-8.

Seconded by Councilman McClung and carried by unanimous vote.

Resolution #189-78 was offered by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Marlboro Bar and Liquor, Inc., located at Route 79 and School Road West, Marlboro, New Jersey, be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-1.

Seconded by Councilman Vuola and carried by unanimous vote.

Resolution #190-78 was offered by Council President Croddick:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by La Collina, Inc., located at R.D. 1, Route 520 and Conover Road, Marlboro, New Jersey, be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-3.

Seconded by Councilman Vuola and carried by unanimous vote.

Resolution #191-78 was offered by Councilman McClung:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following club licenses be renewed for the period beginning July 1, 1978, and ending June 30, 1979:

- CB-1 Holland Orchards, R.D. 1, School Road East, Box 13B, Marlboro, New Jersey;
- CB-2 Robertsville Volunteer Fire Co., #1, Route 520 Morganville, New Jersey;
- CB-3 Morganville Volunteer Fire Co. No. 1, Tennent Road, Morganville, New Jersey;
- CB-4 Morganville Independent Volunteer Fire Company, Route 79, Morganville, New Jersey.

Seconded by Councilman Grossman and carried by unanimous vote.

Councilman Grossman introduced Resolution #178-78 for general bill paying, a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and carried by unanimous vote.

Councilman Vuola introduced Resolution #179-78, bill paying for the Municipal Complex, a copy of which is attached and made a part hereof. It was seconded by Councilman McClung and carried by unanimous vote.

Councilman Klau introduced Resolution #180-78 for Swim Club bill paying, a copy of which is attached and made a part hereof. It was seconded by Councilman Vuola and carried by unanimous vote.

The Council President then declared the Public Session open and asked whether anyone wished to speak.

Mrs. Alyce Lathrop said she had been trying to get certain information about a subdivision near her property for a long time and could not obtain it from anyone. There was some uncertainty as to just what she wanted expressed by Council President and Township Attorney. Both said they would answer all questions for her provided she would clarify them. Council President Croddick said he would personally deliver to her home copies of everything she asked for; and he would make her sign for the material.

Stephen Kurzer spoke again: regarding the uncut grass in back of some residential properties, it is a section of park which has been seeded but not cut yet.

Among the non-agenda materials in Councilmen's file folders was the legal documentation of the Central Jersey Water Company announcing

a public hearing on its petition to increase water rates. This generated considerable discussion among councilmen, several members of the public and the Township Attorney. Councilman Vuola asked whether Administration and Council might take a small advertisement in one or more newspapers calling the attention of the public to this hearing on June 30th at 10 A.M. before the Public Utilities Commission. Since the service area covered by this company, which is owned by U. S. Homes, covers all of Whittier Oaks, property owners there are angry and worried about this 90% proposed increase. The Township Attorney said he would check the rules and regulations of the Public Utilities Commission to see whether such a large increase was permissible.

Councilman Grossman then read excerpts from the attachments to Stewart Hutt's letter of June 6th on the above matter and confirmed that between the lines there was being proposed a 90% increase in water rates. Councilman McClung confirmed that this was the water company owned by U. S. Homes and that the proposed increase would affect all individual home owners. He wonders whether anyone can explain this proposed rate increase.

Mr. G. Barcus stated that no one had a grasp as to how this would affect us.

Councilman Vuola said it was shocking the casual manner in which this rate increase was publicized.

Mr. Kurzer asked whether the township might send some representative to this hearing before the PUC. Council President Croddick said he hoped the Administration would do just that.

Councilman Vuola called attention to the June 2nd letter from the State Department of Transportation stating that State funds for local match for restructuring Greenwood Road have been exhausted

The motion to adjourn was made by Councilman McClung and seconded by Councilman Vuola. All councilmen voted in favor and the meeting was adjourned at 9:06 P.M.

June 22, 1978
Minutes Approved

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

June 8, 1978

RESOLUTION #179-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT.</u>	<u>CK.#</u>
Testwell Laboratories, Inc.	B.O. 20-77	206.25	
Testwell Laboratories, Inc.	" "	200.00	
J.&R. Mechanical Contractors	" "	37,206.00	
John Maltese Iron Works Inc. & Brunswick Bank & Trust Co.	" "	22,050.00	
Electric Const. Corp.	" "	3,690.00	
Dan Mc Carron & Son	" "	34,128.00	
Sprague Oil Service	" "	988.00	
Benjamin Litwin, R.M.A.	" "	4,060.00	
	Total:	102,528.25	

OFFERED BY: Vuola

AYES: 5

SECONDED BY: McClung

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

6/5/78

Date

Sheila Fiskin
Treasurer

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Moonachie Co.	Swim Pool	127.07	
Lawn-A-Mat of Freehold	" "	300.00	
J.B. Sprinkler Systems	" "	100.00	
National Ticket Co.	" "	302.10	
Taylor Made Products	" "	1,195.00	
Jacob Emmanuel, Inc.	" "	1,058.72	
Swan Pump	" "	263.18	
Harvey Ackerman	" " Refund	20.00	
Allen Appleblatt	" " "	15.00	
Wayne Bordone	" " "	20.00	
Mario Danieli	" " "	20.00	
Toby Elkin	" " "	150.00	
Mark Klein	" " "	20.00	
Abe Kluge	" " "	20.00	
Jack Koshefsky	" " "	20.00	
Tony Lauro	" " "	150.00	

<u>DOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK. #</u>
Joseph Lorenzo	Swim Pool Refund	20.00	
Lawrence Rogers	" " "	20.00	
Ronald Zisko	" " "	20.00	
Total:		3,841.07	

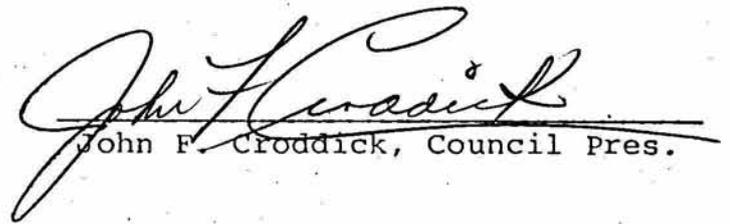
OFFERED BY: Klau

AYES: 5

SECONDED BY: Vuola

NAYS: 0


Marjorie E. Currey, Acting Township
Clerk


John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

6/5/78
Date

Shilva Fushin
Treasurer

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

JUNE 22, 1978

Council President John F. Croddick called the meeting to order at 8:00 P.M. After the salute to the flag, the roll was called indicating that Councilmen Grossman and Klau and Council President Croddick were present; and Councilmen McClung and Vuola were absent. Councilman McClung came in at 8:55 P.M. Councilman Vuola had informed the Clerk that he would be attending the high school graduation of his daughter.

Also present were Township Attorney, Herbert B. Bierman and Acting Clerk, Marjorie E. Currey. Deputy Mayor James Newman arrived after the opening of the meeting. Mayor Goldzweig came in some time later.

Bids were received from the following vendors:

Woodcrest Arcadia (arts and crafts supplies)
Trap Rock Industries (Road Dept. materials)
Manzo Contracting (Road Dept. materials)
Lyn Car Corporation (Road Department materials)
Stavola Contracting Company (Road Department materials)

Councilman Klau moved that these bids on Road Department materials be given to the Acting Business Administrator for tabulation. It was seconded by Councilman Grossman, agreed by all present and done.

Bids on fuel oil were received from Mc Connell and Blue Ridge Oil and Chemical Corporation.

Councilman Klau moved that these be given to the Acting Business Administrator for tabulation. Motion seconded by Councilman Grossman, agreed to by all present and done.

One bid for police vehicle tires (Goodyear) was received from Custom Tire Associates, and Councilman Klau moved that it be given to the Acting Business Administrator for tabulation. Councilman Grossman seconded the motion, all present agreed and it was done.

Citizen's Voice:

Stanley Bauman of 23 Girard Street, Marlboro, said he would like to wait to speak until the Mayor arrived.

Stephen Hoch of 4 Ottawa Road also preferred to await the Mayor's arrival.

Honey Davis of Morganville asked the Administration to schedule another clean-up day in her area. The Council President said he would have to check with the Road Department and that a letter would be sent out telling the residents the date.

Deputy Mayor Newman said he would like Council to put off the Administrative Report until the Mayor arrived which should be soon, since he is in the building.

Councilman Klau introduced Resolution #192-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the liquor license owned by Anna Ulashkevich, trading as The Andiron, located at Hwy 79, Freehold-Matawan Road, Marlboro, New Jersey, be renewed for the period beginning July 1, 1978, and ending June 30, 1979. Said license is Plenary Retail Consumption License No. C-6.

Seconded by Councilman Grossman and adopted by the unanimous vote of those present.

Council President Croddick opened the public hearing on Ordinance #11-78 (Road Bonding).

Russell Reeves asked for the names of the roads to be repaired. The Clerk left the room to get this list. The Council President then read aloud the list of roads which had been prepared by the Township Engineer. He asked Mr. Van Aartrijk to make out a priority list so that the roads in the worst condition would be repaired first.

Mayor Goldzweig had arrived at the meeting by the time the Clerk returned with the list of roads mentioned above.

Since no other member of the public wished to speak, the Council President closed the public hearing.

Mayor Goldzweig said he wanted to thank the Council President and Councilman ^{Grossman} for going to Trenton to appear before the Local Finance Board in connection with the Township's effort to obtain approval for this bonding (extension of credit). He said it proves again that with a unanimous Council and support from the Administration that we can move our town in the right direction. If all this work can be done for this amount of money, our internal highways will be the safest in the County. This work will repair the damage done by the cold and snows of the past two winters.

The Council President said that any member of the public who had a problem with a particular road should come down to a Council meeting and make the fact known.

Council President Croddick then announced that, since the fourth Councilman (whose vote would be required to pass this bond ordinance) was not present, he would move that the second reading be tabled to the end of the meeting. The motion was seconded by Councilman Grossman and adopted by unanimous vote of those present.

The Council President then opened the public hearing on Ordinance #15-78 (Fire Code Regulations) and asked if anyone wished to speak. David Reese asked that the ordinance be read and Councilman Grossman obliged him by reading it in its entirety.

Mr. Reese asked what we are doing with this ordinance. Mr. Croddick explained that we are adopting the provisions of the BOCA Fire Code as recommended by the fire officials of the township. Mr. Reese asked what we are doing for the residents. Why are we passing it?

The Council President inquired what the speaker's main question was. Mr. Reese asked again why we are passing the ordinance, and Mr. Croddick said we had been required to do so by the fire officials of the town.

Councilman Klau said this ordinance would make our fire regulations more stringent both for home builders and industrial builders.

The speaker asked when we would see it enacted and the Council President said twenty days after it is passed by Council.

Councilman Grossman introduced Resolution #194-78 (Ord. #15-78):

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

AN ORDINANCE ADOPTING BASIC FIRE PREVENTION
REGULATIONS FOR THE PROTECTION OF PUBLIC
HEALTH, SAFETY AND WELFARE IN THE TOWNSHIP
OF MARLBORO.

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman Klau and adopted by the unanimous vote of those present.

Councilman Grossman introduced Resolution #196-78 (Ord. #19-78):

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

"AN ORDINANCE CREATING CERTAIN NO STOPPING
OR STANDING ON BOTH SIDES OF ROUTE 79 IN
THE TOWNSHIP OF MARLBORO"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on July 13, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Seconded by Councilman Klau. There was no discussion, and the Resolution was adopted by unanimous vote of the councilmen present.

Councilman Klau introduced Resolution #197-78 (Ord. #18-78):

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

"AN ORDINANCE PROVIDING FOR PARTICIPATION
IN THE NATIONAL FLOOD INSURANCE PROGRAM"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on July 13, 1978, at 8.00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Seconded by Councilman Grossman. There was no discussion, and the Resolution was adopted by unanimous vote of the councilmen present.

At 8:30 P.M. Township Attorney Bierman spoke with regard to Resolution #195-78 (Ord. #16-78). This ordinance concerns the vacation of Foxcroft Drive and the public hearing and second reading were advertised for this date and placed on the proposed agenda for this meeting presented at the caucus of June 19th. On instruction from Mr. Bierman at the caucus, this item was not included on the final agenda for the June 22nd meeting. However, because the public hearing had been advertised for June 22nd, it was necessary to address the matter.

Mr. Bierman announced that this matter is in litigation and that he has filed an opinion thereon. He recommended that the public hearing and second reading of this ordinance be tabled because of the litigation.

Councilman Grossman moved that the matter be tabled. Councilman Klau seconded the motion. It was passed by the unanimous vote of the three councilmen present.

Council President Croddick reopened the Citizen's Voice so that the two gentlemen who were waiting for the Mayor to arrive could speak.

Stanley Bauman stated that he has been involved in Recreation Program for 8 or 9 years. The Township has grown a lot in that time and he thinks the program may have had something to do with this. He asked the Mayor to accept his resignation as Chairman of Recreation. He thinks the Director and Assistant Director are fine individuals. His stepping down gives an opportunity for new people to get involved in the program. He will continue to be involved in community affairs. His resignation is to become

effective July first.

Stephen Hoch announced that he, too, is resigning effective July first. He does so with fond memories of working with Recreation. He said we can be proud of two parks and two more on the way and our exceptional summer recreation program. He has been working with Stan Bauman for 8 or 9 years and without him he could not have done the job.

He is resigning in order to spend more time with his family and his business interests. There are no political aspirations in his profile. He thanked the Mayor and the Council (representing the township) for this wonderful experience.

Council President Croddick said there is mutual respect between Bauman and Hoch and himself. He thanked both men for the work they had done on behalf of the Council and said they would indeed be missed.

Administrative Report

Mayor Goldzweig thanked Mr. Bauman and Mr. Hoch for the excellent job they have done for Recreation. He mentioned the special baseball program awards they received last night at Robertsville School. Councilman Grossman was present at the ceremony. He said that one of Marlboro's travelling soccer teams returned with a gold medal. He hopes that at some future council meeting a certificate can be presented to each child on one of these travelling teams.

The Mayor announced that Irwin Arden, who has worked with Recreation for many years, will take over on an acting basis for a short term as Head of the Division. Bill Meckman will take over as Department Head (Director of Recreation and Open Spaces) on the same terms.

The Mayor apologized for being late. He had to bring his wife back from the hospital in Brooklyn and then take the family to dinner. The Mayor then passed out copies of the monthly Appropriations Report. (The Clerk did not receive a copy.)

He brought Council up to date on the search for a new Business Administrator saying ads have been placed in a number of papers (some local, some in New York). He made the point that one person interviewed, (B.A. in another town), was surprised to learn that our Councilmen receive on a monthly basis Appropriations Report, Investment Yield Report and Capital Funds Report. He said he is in touch with State and National Business Managers Organizations in an effort to find the right person. Although he does not want to set a fixed date for the hiring of the new Business Administrator, he does hope it will be accomplished soon, so that he can present the person to Council for advice and consent.

Council President Croddick asked whether the Mayor had appointed an Acting Business Administrator. The Mayor said he had not, that he would be in the office on a daily basis; and that he had by letter authorized Joan Czech to sign whatever papers had, by law, to be signed by the Business Administrator. However, such signing would be after his review. Personnel matters and purchase requests will go through Joan Czech, who will spend part of her day in the front office and the balance in the Mayor's office. He said the office is running smoothly and some rapid progress is being made in bringing up to date a backlog of work in the Business Administrator's office.

Councilman Klau introduced Resolution #198-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Special Permit for a Social Affair, pursuant to R.S. Title 33:C.1 of the State of New Jersey (Division of Alcoholic Beverage Control), be granted and it is hereby granted, to Robertsville Volunteer Fire Company #1, Incorporated, whose address is Box 628, Route 520, Morganville, New Jersey, 07751, in accordance with their Application No. A-21 which gives the date of the special affair as September 23, 1978, and the place as the Robertsville Firehouse.

Seconded by Councilman Grossman and adopted, without discussion by unanimous vote of the councilmen present.

Councilman Grossman introduced Resolution #199-78:

WHEREAS, the Township Clerk has indicated there are numerous occasions when various municipal employees are required to use personal vehicles for the conduct of Township business; and

WHEREAS, the Township Council of the Township of Marlboro has determined to reimburse any Township Employee who is required to use their personal vehicle for Township business;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro hereby ratifies the above by the following policy:

- (a) Township employees shall be reimbursed at the rate of 15c per mile for the use of their personal vehicle in the conduct of Township business.
- (b) Said reimbursement shall be made upon the submission of a voucher by the employee in the usual form, which said voucher shall be approved by the Department Head prior to submission to the Finance Department for processing.

- (c) Any municipal employee using their personal vehicle for the conduct of Township business shall be a validly licensed driver of the State of New Jersey; the vehicle shall be validly registered and fully covered by liability insurance as required by the laws of the State of New Jersey.

2. The Township Clerk shall forward a copy of this Resolution to every Department Head and shall post a copy thereof upon the bulletin board within the Township offices.

Seconded by Councilman Klau and adopted, without discussion, by unanimous vote of the councilmen present.

Councilman Klau introduced Resolution #203-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law:

Road Department Uniforms

Seconded by Councilman Grossman. There being no discussion, the Resolution was adopted by unanimous vote of the Councilmen present.

Council President Croddick introduced Resolution #205-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings be and are hereby approved as corrected:

March 30, 1978 - Special Meeting
(Public Hearing on Budget)

March 30, 1978 - Special Meeting

June 8, 1978 - Regular Meeting

It was seconded by Councilman Klau and, there being no discussion, adopted by unanimous vote of the councilmen present.

Councilman Grossman introduced Resolution #206-78:

WHEREAS, there exists a need for design engineering, preparation of specifications, review of bids, supervision of installations and other functions in connection with the new communications center in the Police Headquarters and Municipal Complex; and

WHEREAS, the maximum amount of the contract is \$5,000.00 or 7% of the cost of the entire installation, whichever is greater, and the provisions of the Bond Ordinance providing the funds and all amendments and supplements thereto have been complied with, and said funds are available and have been certified by the Local Finance Officer; and

WHEREAS, the Local Public Contracts Law requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

NOW, THEREFORE, be it resolved by the Township Council of the Township of Marlboro as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute an agreement with Monmouth Communications Systems of 2 Broad Street, Freehold, New Jersey 07728, Perry Schwartz, Professional Engineer, President.

2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A: 11-5 (1) (a) of the Local Public Contracts Law because the services rendered require knowledge and experience to be performed by a person authorized by law to practice electrical engineering and are not readily subject to the preparation of specifications.

3. A notice of this action shall be printed once in the Daily Register.

Seconded by Councilman Klau and, there being no discussion, adopted by unanimous vote of the councilmen present.

Councilman Klau introduced Resolution #207-78:

WHEREAS, certain areas of Hawkins Road Park in the Township of Marlboro have been subject to erosion due to the constant flow of water from an underground spring encountered during construction; and

WHEREAS, the architects of the said park, Messrs. Khachadourian and Cahill of 130 Washington Street, Bloomfield, New Jersey, have recommended Change Order No. 4, a copy of which is attached and made a part hereof, in order to correct this situation; and

WHEREAS, the Architects have guaranteed that acceptance of this Change Order will increase the contract sum by no more than \$985.00;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that Change Order No. 4 be accepted and that Messrs. Khachadourian and Cahill be and are hereby instructed to proceed with the work immediately.

Seconded by Councilman Grossman and, there being no discussion, adopted by unanimous vote of the councilmen present.

Council President Croddick announced that Resolution #208-78 (Appointment of a Community Development Representative) was to be removed from the agenda.

Councilman Grossman introduced Resolution #209-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting Township Business Administrator and the Township Engineer be and they are hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law:

Curbing Machine for Road Department

It was seconded by Councilman Klau and, there being no discussion, it was adopted by unanimous vote of the councilmen present.

Councilman Klau introduced the general bill-paying, Resolution No. 200-78, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and, before the vote, the Council President stated that the Clerk was to tell the Treasurer that Laughing Boy Farms would not be paid until or unless a maintenance bond was posted.

Council President Croddick introduced Municipal Complex Bill-Paying, Resolution #201-78, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted, with no discussion, by unanimous vote of the councilmen present.

At 8:55 P.M., Councilman McClung arrived after having attended the Marlboro High School graduation exercises. The Council President then announced that Resolution 193-78 (Ord. #11-78) would be introduced.

Council President Croddick introduced Resolution #193-78 (Ord. #11-78):

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

ORDINANCE #11-78

AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF VARIOUS ROADS IN THE TOWNSHIP OF MARLBORO; THE CONSTRUCTION OF CERTAIN STORM DRAINAGE IN THE TOWNSHIP OF MARLBORO; THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWNSHIP OF MARLBORO; APPROPRIATING \$1,176,000.00 FOR SUCH PURPOSES AND AUTHORIZING THE ISSUANCE OF \$1,118,000.00 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

be adopted on second and final reading and notices of the passage thereof shall be advertised according to law.

It was seconded by Councilman McClung. There was no discussion and the ordinance was adopted on the following roll call vote: Councilmen Grossman, Klau and McClung and Council President Croddick voted Aye. (Councilman Vuola was absent from the meeting.)

Councilman Klau introduced the Swim Club Bill-paying, Resolution #202-78, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted, without discussion by the unanimous vote of the four councilmen now present.

Councilman Klau introduced Resolution #210-78:

WHEREAS, the following subdivision has heretofore been approved in the Township of Marlboro, and the developer thereof has proceeded with the construction of the said subdivision

FAIRFIELD MANOR, INC.

and

WHEREAS, a multitude of problems have arisen in connection with the construction of said subdivision which have not been resolved by the developer after repeated demand by the Township to correct the various problems; and

WHEREAS, it is imperative for the health, safety and well-being of the residents of the Township of Marlboro, that corrective action be taken immediately:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That Herbert B. Bierman, Township Attorney, is hereby directed to forthwith take any and all action necessary to cause the surety company guaranteeing the performance by the developer to proceed with any and all necessary corrective action which may be determined to be required by the Township Engineer.

2. That the Township Clerk is authorized and directed to forward a copy of this Resolution to the Township Attorney forthwith.

Seconded by Councilman McClung and adopted, without discussion, by unanimous vote of the four councilmen present.

Council President Croddick introduced Resolution #211-78:

WHEREAS, the Township Architects have recommended a Change Order to Contract #2 at the Municipal Complex and Police Headquarters in the amount of \$225.00 to provide a pair of steel angles to the horizontal web at Head Detail 18;

NOW THEREFORE BE IT RESOLVED:

1) That the above described Change Order is hereby approved in the amount of \$225.00.

2) That a copy of this Resolution shall be forwarded to the Contractor, Maltese Iron Works, Inc. and to the Township Architects.

It was seconded by Councilman Grossman. The Council President stated that this was to permit a small change order for \$225 which John Maltese Iron Works, Inc. had to have taken care of or there would be a delay in their work. The Resolution was adopted by the unanimous vote of the four councilmen present.

Councilman Grossman introduced Resolution #212-78:

WHEREAS, the Administrative Director's Office of the Courts has recommended that certain separate accounts be established in connection with the operation of the Marlboro Township Municipal Court;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Marlboro Township Municipal Court Clerk is authorized and directed to establish a checking account in an authorized depository of the Township to be known as the Marlboro Township Municipal Court-Bail Account.

2. That the Marlboro Township Court Clerk is authorized and directed to transfer the bail funds from the Marlboro Township Municipal Court-General Account to the Marlboro Township Municipal-Court Bail Account.

3. That the Township Clerk is authorized and directed to forward a copy of this Resolution to the Marlboro Township Municipal Court Clerk forthwith.

It was seconded by Councilman McClung. The Council President said that the Court Clerk had requested the establishment of a Court-Bail Account, which was the reason for this resolution. It was adopted by the unanimous vote of the four councilmen present.

Council President Croddick introduced Resolution #214-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

WOODCREST-ARCADIA CO., INC.

of Gilbert Street South, Tinton Falls, New Jersey 07724, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Attached Schedule of 120 items

on their low bid of : See Prices on Schedule Attached.

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Woodcrest-Arcadia Co., Inc.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted by unanimous vote of the four councilmen present.

Public Session

Dick Previte said he was very happy to hear that the Mayor thought the new Business Administrator should be someone outside the town. The Republicans discussed the former Business Administrator and feel that she was too deeply involved in politics. He said we cannot have anyone working for the township who is actively involved in politics or who wants a political position. He thinks it is wrong and asks Council to pass some kind of ordinance to prevent this from happening in the future. This suggestion comes from Mary Denton herself. Mr. Previte read a statement from a local paper mentioning the law partners of Mayor Goldzweig. They are all part of our Municipal Government and all active in his law firm. This leaves a lot to be desired. Maybe something can be done about this.

Councilman Klau commented that three years ago he had asked Council to pass a Municipal Hatch Act. But it was found that it was not constitutional for the township and that ended the matter.

Mayor Goldzweig said he would not comment on most of what Mr. Previte said. He is tired of hearing about his law practice. No one has said he must give up the right to support his family; but everyone in his office is precluded from practicing in this municipality. So it cannot smack of anything, because we cannot practice law in our own town. Two experts here in this room can tell you about the ethics of our practice because we looked into these things. Most people in politics are attorneys. He said he gets tired of reading about it.

Mike Costura of Lloyd Road thanked the Council for permission to the Freehold Chapter of Deborah to have a Tag Day this month. He gave a talk about the work of the Deborah Hospital in Browns Mills. Almost one thousand cardiac operations were performed there in 1977. They are building a \$14,000,000 addition. The money comes from 300 chapters in the U.S.A. There are 40,000 volunteers who raise money for this cause. If there is any way Marlboro Township can contribute some money, he would deeply appreciate it.

Roxane Horowitz said that small children (Rainbow League age) cannot play at Hawkins Road Park because of teenagers and mo-peds. If we could provide more patrolling there between six and eight in the evening many parents and children would appreciate it. The situation there is hazardous with bad language being used all the time. It is a tense environment for the mothers of small children.

Mayor Goldzweig replied that the Police have beefed up patrols in that area. He said we must come up with three people from CETA to help alleviate this problem.

Mrs. Horowitz said that Police Cars cannot get through the park.

The Mayor said he does not know what the answer is. We may not solve the problem, but we can improve the situation. He told about the snapshots Council saw of the park Monday night, brought by Councilman Klau and Council President Croddick. He said that mo-peds are illegal in all parks.

The Council President recommended to the Mayor and Police Department that if they see people riding who are under 16 years of age, they should take away the mo-ped and make the parents come down to Police Headquarters to get it.

Dick Previte said that he thought a mo-ped had to be licensed; that the owner had to have a license and be at least 15 years of age.

Lt. Tilton of the Police Department answered several questions asked by Mayor Goldzweig and the Council President. He said that if a person is 17 and has a driver's license, there is no need for the mo-ped license.

David Reese asked Mr. Croddick about insurance rates on mo-peds.

Lt. Tilton said they are lower on a special policy. Mr. Reese asked whether Council could insist that mo-ped owners carry higher insurance.

Attorney Bierman said State law supersedes, so we cannot pass an ordinance requiring higher insurance. He said he would find out what the rates are.

Honey Davis said she was proud that for many years she was a volunteer fund-raiser for Deborah. She gives a donation every year.

Russell Reeves said he thought Mr. Schwartz of Monmouth Communications who had been at caucus Monday night made some uninspired comments about the Bell System. He hopes the township will provide him with guidance in the construction of the Base Station.

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Public Employee Retirement System	Empl. Pay Ded.	4,038.37	17482
P.E.R.S. Contrib. Insurance	Empl. Pay Ded.	404.23	17483
State of N.J. Div. of Taxation	Empl. Pay Ded.	2,237.38	17484
Bayshore Independent	Admin. & Exec o/e	2,513.70	17543
Manzo Construction	R.O.3-74	915.60	
	B.O.10-77	8,278.34	9,193.94
Township of Marlboro Net Pay	Net Pay Exch.	35,397.41	17547
Central Jersey Bank F.L.T.	Empl. Pay Ded.	6,722.79	17548
	Total	60,507.82	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Morganville Bar & Grill, Inc.	Refund of Prior Years Revenue	112.00	
Asbury Park Press	Administration	220.75	
The Daily Register	Admin. & Exec. o/e	70.81	
Governmental Purchasing Asso. of N.J.	Administration	25.00	
IBM Corporation	Administration	27.00	
Lou Romer	Administration	34.00	
Roger Lawrence Photography	Administration 55.00 Police 77.00	132.00	
Bayshore Stationers	Admin. 17.16 Police 19.45	36.61	
Roy Press, Inc.	Elections	1,750.00	
Lench's Print Shop	Elections	600.00	
STC Computer Services	Tax Assessor	512.35	
Sound Arts Company	Court o/e	100.32	
Robbins Electric, Inc.	Public Bldg & Grounds	28.56	
B & I Locksmith	Public Bldg & Grounds	10.55	
Chief J. Walker	Police o/e	200.00	
Red the Tailor Inc.	Police	380.60	
V.E. Ralph & Son, Inc.	Police	50.20	
Joseph A. Mazzeo	Police	160.70	
Marlboro Air Cond.	Police o/e	18.00	
Walter Heath Co., Inc.	Police o/e	50.00	
Franklin's Garage	Police	2.00	
General Office Supply Co., Inc.	Tax Assessor	100.66	
Division of State Police	Police	60.00	
Camera Showplace	Police 1977 31.73 Police 108.30 Traffic Safety 120.58	260.61	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK. #</u>
Edward Savoie	Inspections o/e	13.50	
John Cavaliere	Inspections	35.25	
Kenneth L. Miller	Highway Safety	5.50	
Becker Hardware, Inc.	Streets & Roads	20.98	
Garden tate Equipment Supply Co.	Streets & Road o/e	2,000.00	
Top Hat Uniform Rental	Streets & Roads	670.80	
Matawan Lumber Co.	Sts & Rds 188.31 Recreation 13.20 Bid 18-75 42.26	243.77	
Lyncar Corporation	Streets & Rds 680.50 B.O. 10-77 87.04	767.54	
Heynigar Brothers, Inc.	Streets & Rds. 42.80 B.O. 18-75 49.10	91.90	
B & B Auto Radiator and Auto Glass	Equipment Maint.	138.00	
Bayshore Bandag Tire	Equip. Maint.	228.78	
Fox Equipment Co.	Equipment Maint.	50.00	
George Chevrolet Inc.	Equipment Maintenance	59.90	
A.S. Gilbert, Inc.	Equipment Maintenance	25.60	
Harter Equipment, Inc.	Equipment Maintenance	81.11	
Lynn Equipment Co., Inc.	Equipment Maintenance	11.35	
Tom's Ford Inc.	Equipment Maintenance	58.45	
Matty's Auto Parts, Inc.	Equip. Maint. 548.25 Grounds Maint. 25.98	574.23	
Sprague's Oil Service Inc.	Equip. Maint. 4,325.98 Utilities 350.20	4,676.18	
Four Season's Sport's Center, Inc.	Grounds & Maintenance	353.10	
Sears, Roebuck & Co.	Grounds Maintenance	114.00	
Hargill Supply Co., Inc.	Grounds Maintenance	137.68	
Harris Hardware	Grounds Maint. 1977 7.93 1978 34.95	42.88	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Monmouth County Garden Center	Grounds Maintenance	6.00	
Jersey Central P & L	Street Lighting 323.39 Utilities 525.82	849.21	
New Jersey Bell Telephone Co.Inc.	Utilities	1,068.14	
Robert C. Steinberg	Recreation o/e Special Olympics	125.00	
Monmouth County Garden Center	B.O. 3-74 (Brooks)	54.00	
Manzo Contracting Co. Inc.	B.O. 18-75	157.20	
Builders Block & Supply Co. Inc.	B.O. 18-75	416.50	
Marjorie E. Currey	Administration	29.11	
Laughing Boy Farms Inc.	B.O. 3-74	14,373.04	
	Total:	32,421.42	

OFFERED BY: Klau

AYES: 3

Not Present: 2

SECONDED BY: Grossman

NAYS: 0

Margorie E. Currey
Márjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

6/16/78
Date

Shirley Estlin
Treasurer

RESOLUTION #201-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK. #</u>
Emanuel Milstein	B.O. 20-77	2,400.00	
Witthoefft & Rudolph Architects	B.O. 20-77	1,741.00	
	TOTAL	4,141.00	

OFFERED BY: Croddick

AYES: 3

Not Present: 2

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are
available sufficient appropriated funds for the purpose of this
resolution.

6/16
Date

Sheila Fishpin
Treasurer

RESOLUTION #202-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
New Jersey Bell Telephone Co.	Swim Club Telephone	84.21	
Peter C. Vena	" " Repair & Maintenance	185.00	
James Hunter	Capital Expenditures	565.00	
L. Rappaport	Waiting List Deposit	20.00	
John Sommerholder	Waiting List Deposit	20.00	
Harry Alson	" " "	20.00	
Harvey Bransky (c/o Schleifer)	" " "	20.00	
Leonard Horowitz	Membership Fees	150.00	
Harvey Berkman	Membership Fees	150.00	
Pool Management Associates	Swim Pool	7,920.00	
	Total:	9,134.21	

OFFERED BY: Klau

AYES: 4

Not Present: 1

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

6/16
Date

Sheila Fisher
Treasurer

K H A C H A D O U R I A R A N D C A R L I E A R C H I T E C T S
130 WASHINGTON STREET BLOOMFIELD NEW JERSEY 07003 (201) 748-1656

MARSHALL SHEET

DATE January 13, 1978

RE: Hawkins Road Park

Marlboro Township, N. J.

The Honorable Arthur Goldzweig

Mayor of Marlboro Township

Marlboro Municipal Building

Drawer D

Marlboro, New Jersey 07746

WE SPECIFY FOR YOUR REFERENCE THE FOLLOWING:

Three (3) copies of our Change Order No. 4, regarding the above project.

The enclosed Change Order has been approved by our office and Laughing Boy Farms, Inc., the General Contractor.

Please review same and return one (1) copy of Change Order to our office with your signature of approval.

If you have any questions regarding the above, please do not hesitate to contact our office.

Richard D. Marchetti

BY: _____ TITLE: _____

**KHACHADOURIAN AND
CAHILL ARCHITECTS**

130 WASHINGTON ST. BLOOMFIELD, N.J. 07003 PHONE - 748-1888

January 9, 1978

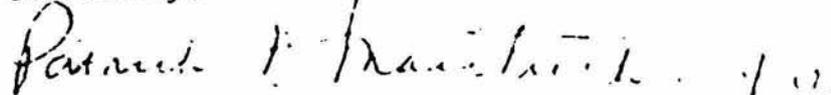
The Honorable Arthur Goldzweig
Mayor of Marlboro Township
Marlboro Municipal Building
Drawer D
Marlboro, New Jersey 07746

Re: Hawkins Road Park
Marlboro Township, New Jersey

Dear Mayor Goldzweig:

In reference to Item #8, on our Punch List dated December 15, 1977, we are herewith enclosing our Change Order No. 4, for "Regrading and Filling of the Eroded Areas at the Pedestrian Path near the Multi-Purpose Field, and Installation of Sod Strip to same".

Sincerely,



Daniel R. Cahill, A.I.A., P.P.,
Architect - Professional Planner

DRC/hm
encl.

CHANGE ORDER

AIA DOCUMENT G701

OWNER
 ARCHITECT
 CONTRACTOR
 FIELD
 OTHER

PROJECT: Hawkins Road Park
 (name, address) Marlboro Township, N. J.

CHANGE ORDER NUMBER: 4

TO (Contractor)

Laughing Boy Farms, Inc.
 570 Ryders Lane
 East Brunswick, N. J. 08816
 Attn: Stanley Gatarz

ARCHITECT'S PROJECT NO: J#75-505
 CONTRACT FOR: General Construction
 CONTRACT DATE: January - 1977

You are directed to make the following changes in this Contract:

1. Grade and fill eroded trench between sloped area and walkway.
2. Install sod strip, 30" - 45" wide, along length of eroded area, which will create a grassed waterway between slope and drainage slop pipe.

REASON FOR THIS CHANGE:

Repair eroded area due to constant water flow of water from underground spring encountered during construction due to lack of Boring Information.

The original Contract Sum was	\$	144,531.00
Net change by previous Change Orders	\$	1,300.00
The Contract Sum prior to this Change Order was	\$	143,231.00
The Contract Sum will be (increased) (decreased) (unchanged) by this Change Order	\$	985.00
The new Contract Sum including this Change Order will be	\$	144,216.00
The Contract Time will be (increased) (decreased) (unchanged) by		() Days.
The Date of Completion as of the date of this Change Order therefore is		

Khachadourian & Cahill
 ARCHITECT
 130 Washington Street
 Address
 Bloomfield, N. J. 07003

Laughing Boy Farms, Inc.
 CONTRACTOR
 570 Ryders Lane
 Address
 East Brunswick, N.J.

Municipality of Marlboro
 Township
 Monmouth County
 Address
 Marlboro, N. J.
 (Authorized Signature)

BY: *[Signature]*
 DATE January 9, 1978

BY: *Stanley Gatarz*
 DATE 1/10/78

BY: _____
 DATE _____

Laughing Boy Farms, Inc.

LANDSCAPE DESIGNERS • CONTRACTORS

570 RYDERS LANE
EAST BRUNSWICK, NEW JERSEY 08816

201/ 254-2020
201/ 254-2221

December 29, 1977

Macchiodurian & Cahill/Architects
130 Washington Street
Bloomsfield, NJ 07003

ATTN: Mr. Pat Marchetta

RE: Hawkins Road Park
Erosion

Gentlemen:

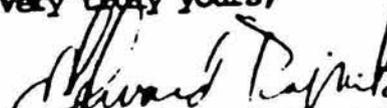
Pursuant to recent conversations regarding erosion in the Football Field area at the above referenced project, we respectfully submit the following quotation for repair work:

- 1) Grade and fill eroded trench between sloped area and walkway.
- 2) Install sod strip, 30" - 45" wide, along length of eroded area, which will create a grassed waterway between slope and drainage pipe.

Total price \$985.00

If you have any questions, please feel free to contact our office at any time.

Very truly yours,


Edward Rajnik, Estimator
LAUGHING BOY FARMS, INC.

ER/er

MEMBER:

- UNITED LANDSCAPE CONTRACTORS ASSOCIATION
- NEW JERSEY ASSOCIATION OF LANDSCAPE CONTRACTORS
- AMERICAN ASSOCIATION OF NURSERYMEN
- NEW JERSEY ASSOCIATION OF NURSERYMEN

The following items are needed for the Summer Recreation Program
Please submit discount prices for all items listed and also submit
a discount price for miscellaneous items which do not appear below.

1g roll brown creped tape 1.47
1 lb boxes Luco tinsel in colors 4.26
pres-a-ply 2" X 150" .59
artist bristle brushes (b. only) BLC series $\frac{1}{4}$, $\frac{1}{2}$, 1' ^{1.80} ^{1.10} ^{1.60}
Cunningham series 650 Sable brush #4 1.00
Wet paint wild colors only quarts 7.48
shining armor quarts colors 5.86
nu-tile epoxy 13 oz. 3.03
wrinkle finish cans 3.03
hammer paint cans 3.03
2' X 26" plane film for artwork 3.87
plaster molde 346, 519, 199, 328, 1slg 2.25
clay for ceramics etc. (per lb; per 100 lbs) 1700/100 lb.
beadery craft kit pin letter series only 2.49
children clay set with mini molds and tool 2.10
Morris (only) key chain kits .73
golden glow mini planter 5X5, 6X6, 7X6 3.28
RH series wooden craft kits 1.49
bicentennial flag set 3.72
5101 ramic set 4.22
Cunningham foliage packs .80
poxi-glas 1.30
anchor film 1.35
pressure sensitive craft sheet material cloth 1.05
art fun sheets #7300 1.50
wooden shelf and rack kits 3.20
Spingbok crewel kit 14X18 4.80
Fulton paper 12x18, 18X24 7.92, 14.50
child print paper 12X18, 18X24 7.25, 14.00
Perma scene boxes 2.49
20X24 tempered masonite panels 1.58
plate 9X12 adhesive 1.70
Van-Dyke (only) paint jumbo tubes (r.sienna, umber, cerulean, ultramarine) 3.00
sp 547 template 2.38
sp 543 template 1.66
Reliance 1-1202 .79
Impko decals .20
Impko 1g stik-ons .79
markers 8976, 8972, 8984, 8982, 7935, 8846, 8981, 8971, 8986, 8810,
8818, 100 .98
Everglide 1g set 2.20
color basket craft .57
non toxic geometric solid wood shapes 21b bags 2.16
lecturer chalk 910 1g set 3.60
artist 12 color 3405 set .94
Beades Cunningham 334, 335 .118
Pearls Cunningham 860, jumbo 860 .97, 2.89
countri-earth 12 oz. 1.25

goldarama packs .99
guill paper Cunningham 666046 .88
glow writing paint hot colors .69
mercerized jerseys 162 90% cotton .97
looms (must be special childrens safety looms not wood) 1.67
silver leaf 2.99
duo tone 30X40 craft boards seconds 2.25
Bluebird small packs .39
heavy grip cement tubes .78
micro mini plaques with pins .84
hand moldable epoxy packs 1.50
craft barnwood slabs 1.00
decoupage papers (not prints) .75
dec-o-paper .65
eggeury goose eggs .88
transfer emulsion 7511 lg jars 8.22
fibre cords gray and black 1.17
color lead set with mechanical pencil 4.00
Glass packs 4.00
4000 series egguery pieces .87
wooden house piece racks 8.11
glass fruit vase kits .84
craft cookie cutters 2.32
craft plastic drops 1.65
wooden trivets 1.45
1q boxes (approx. 70lb) stain glass pieces (sharp, for older children only) 18.00
refillable paint with foam brush in tube sets 4.95
paintex .99
dye for paintex .77
craft paint (nimocks) in jars, colors .88
Logi-pallete 8.95
ABS repair kit 9.49
clear-ang 1612 14.63
mirakote (hi-sheen 60) 14.00 / 1q pack
duplex duo color .69
styro shape 12-E .75
wide weave wood 1 lb 5.00
crea sculpture white 4.95
togetherness clips .58
stamp camp 1.33
puncheroo .58
27 oz. Cunningham plas. 1.10
6600 figure curly 2.85
24X36 cons. 3460-50 8.40
558 message center 5.96
skiz-4 .72
contact cement 1q can 2.28
60 color professional Guitar set 4.95
Reliance 125-12 set .78
Oxford 24 1.19
Oxford 32 1.63
childrens 8X10 cardboard easel with velour back .66
utility 275 1.43
37K6 metal forms 1.75
1011000 1743

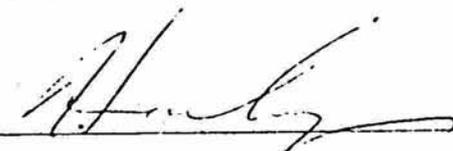
Unicase 1.00
 Cunningham poly molds 4.70
 st. ref. wax 4.90
 Cunningham Colores 1.90
 " Scent .90
 " candle spray 2.87
 metallic pactra spray paint 1.40
 specialty N.D. ink 2.95
 artist primed 45" cotton canvas 6 yd. rolls 13.00
 eqquery trim (gold color) 1.75
 111 Bronze plant polish 3.00
 C-clamp set 5.50
 A.B. 100 6.00
 Glaze & 50lb moist professional firing clay XTY 23 09 80 6.00
 Wheel, tank, parts accessories 1.15
 Model 1bc, 2bc, 3bc 1.97
 Wax metallic supplies 2.00
 roll dispenser 3/M 11.73

Please submit catalog list prices along with discount prices to the Township of Marlboro.

All bidders are required to be in compliance with the following:

I do hereby certify that I Howard Cooper
(name of bidder)

am aware and in accordance with the requirements of P.L. 1975, c. 127, and also the provisions of N.J.S. 40:69-A-163 INTEREST IN CONTRACTS OR JOBS FORBIDDEN.

Signed 
 address Colbert Street South
Winter Park, FL 32784
Woodcrest - Madison Co, Inc

Date 6/19/78

David Reese spoke about the Communications bid awarded to Monmouth Communications. He does not think that a communications engineer is a recognized field. It has no sanction under the Public Utilities Commission. I would suggest that you check that before awarding the bid. You are considering paying a healthy amount of money. He knows there is no license for a communications engineer.

Attorney Bierman raised some questions about the engineering degree of Perry Schwartz. Councilman Grossman said he had been asked at caucus whether he represented a company that sells equipment and he said he did not.

David Reese asked the nature of the business of Monmouth Communications. Councilman Grossman said it is a consulting firm.

Mr. Reese asked whether he could offer a proposal which would save the Council some money. He said he can design the best system ever. He has no political interests. Regarding the road bonding, he asked whether the township had exceeded its debt limit.

Mayor Goldzweig answered that we had done so.

Mr. Reese then asked the length of these bonds we intend to sell. Attorney Bierman said various terms, up to 40 years. He said they are general obligation bonds; a legal obligation of the community.

Lloyd Leff inquired why the Foxcroft Drive Ordinance was tabled and Mr. Bierman explained that there was litigation on the subject in progress.

The meeting was adjourned at 9:45 P.M.

Minutes Approved:

September 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

CERTIFICATION

I hereby certify the above to be a true and exact copy of a Resolution adopted by the Township Council of the Township of Marlboro at a meeting held on 6/22, 1979.

Evelyn Piccolini
Township Clerk

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

JULY 13, 1978

Council President Croddick called the meeting to order at 8:07 P.M. After the salute to the flag, the Clerk called the roll to which all councilmen responded "here"

Also present were Mayor Arthur Goldzweig, Township Attorney, Herbert Bierman, and Acting Business Administrator, Joan Czech.

The Council President asked whether there were any bids other than those already on his desk. As no member of the public had additional bids, the submission of bids was closed.

Citizen's Voice

Lloyd Leff of 22 Wylie Terrace, Morganville, submitted a petition with two hundred signatures asking that the following streets not be opened: Wylie Terrace, Riley Road, Eliot Court and Nash Court. These streets have been dead-end streets for 11 years and opening them or cutting them through would be a danger to the children.

The Council President said he had asked the Township Engineer to make an inspection of these streets tomorrow so that the proper ordinances could be prepared to effectuate this petition.

Mary E. Mc Fadden of 89 School Road West, Marlboro, complained that the path alongside Route 18, which is in back of her house, has never been mowed. She has been working hard to get someone to cut the tall grass and weeds, but without success. She has shown the Mayor pictures of rats running in the area. She has been in touch with the State, which calls the situation "Operation Wildflower." She would appreciate help from the council. The situation is intolerable.

Councilman Vuola said he has been working with her. The property which is so densely overgrown does belong to the State. Joe (Joseph La Mura) called Trenton which reported that this piece of property is on the list to be taken care of. The councilman suggested to the council that the township go in there and cut the grass and eliminate the rats, if they are present, and bill the State. We would have to ask our attorney about the legalities.

Mayor Goldzweig said that tomorrow morning he (or his assistant) would call the County Health Officer who, when he hears about the rats, will certainly come quickly to inspect. He will issue a summons to the State and take some action. This officer is acceptable to the State Board of Health and the Mayor believes they will also come down tomorrow. Marlboro will do whatever is necessary to correct the situation without expecting to be paid by the State. The State usually neglects matters such as this.

Mrs. McFadden said Route 18 has not been mowed this year. She herself has put sod down against the fence to keep down growth as much as possible. She will appreciate whatever council can do to correct this situation.

ADMINISTRATIVE REPORT

Mayor Goldzweig passed out to the councilmen and others at the table two reports dated June 30, 1978: One was a Statement of General Fund; the other, Bond Ordinance Status Report.

The Mayor then reported that he had received 87 resumes from candidates interested in the position of Business Administrator. He said he has interviewed many of them and will see three more candidates tonight. There are many fine candidates. By the end of the week he believes the choice will be narrowed down sufficiently so that by the next meeting he can present his candidate for the advice and consent of council.

At this point the Council President announced that one bid for Road Department Uniforms had been received and that was from Johns, Inc. of New Brunswick. It was submitted with a check. Mr. Croddick turned the papers over to Pieter Van Aartrijk to tabulate and see that everything was in order. If so, it will be put on the agenda for award tonight.

The Council President opened the Public hearing on Ordinance #17-78 (waiving recreation fees for Senior Citizens). No one asked to speak so the hearing was closed.

Councilman Vuola introduced Resolution #215-78 (Ord. #17-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN
ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING
FEES FOR PARTICIPATION IN THE RECREATION
PROGRAM OF THE TOWNSHIP OF MARLBORO"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Mc Clung and adopted by unanimous vote.

The Council President opened the public hearing on Ordinance #18-78 (Participation in National Flood Insurance Program). No one asked to speak and therefore the public hearing was closed.

Before the introduction of Ord. #18-78, Councilman Grossman called attention of council and township attorney to a number of typographical errors and transpositions of words which must be corrected. Mr. Bierman said he thought they were typewriter errors and that the Clerk should correct them (rather than his office which made the errors in the first place). Councilman Grossman was not entirely satisfied and called attention to two blank spaces in paragraph 3 of Section 4.40. Mr. Bierman said the words "Township Council" should be filled in, and suggested that this correction be made by motion. But when Councilman Grossman called attention to a second blank, Mr. Bierman suggested that council move to instruct the attorney to fill in the proper words wherever something has been left out of the text.

Such a motion was made by Councilman Grossman. It was seconded by Councilman Klau and passed by unanimous vote.

Councilman Klau then introduced Resolution #216-78 (Ordinance #18-78):

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

AN ORDINANCE PROVIDING FOR PARTICIPATION
IN THE NATIONAL FLOOD INSURANCE PROGRAM

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

The resolution was seconded by Councilman Grossman and adopted by unanimous vote.

Council President Croddick opened the public hearing on Ord. #19-79 (No Stopping, Standing, on certain sections of Route 79). No member of the public came forward to speak and the hearing was closed.

Councilman Mc Clung introduced Resolution #217-78 (Ordinance #19-78):

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

AN ORDINANCE CREATING CERTAIN NO STOPPING
OR STANDING ON BOTH SIDES OF ROUTE 79 IN THE
TOWNSHIP OF MARLBORO

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Grossman introduced Resolution #218-78:

BE IT RESOLVED by the Council of the Township of Marlboro that a Bingo License be issued to Morganville Volunteer Fire Co. No. 1, in accordance with BA-188 for bingo to be held August 1, 1978 and each Tuesday thereafter until July 24, 1979, with the exception of December 26, 1978 and January 2, 1979; at the Morganville Volunteer Fire Co. No. 1, Tennent Road, Morganville, New Jersey 07751.

It was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Vuola introduced Resolution #219-78 (Ord. #20-78):

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

"AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED 'ORDINANCE NO. 13-78 AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USES OF LAND; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATION IN THE TOWNSHIP OF MARLBORO!'"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on August 10, 1978, at 8.00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman Mc Clung.

Councilman Klau offered the following explanation of the need for this amendment to the Zoning Ordinance:

At the Planning Board Caucus the other night, a landholder brought up the matter of an error in the zoning map recently adopted. We decided to make changes immediately since they were not new items but something we believed to be in the ordinance but, because of haste in preparation, were not in the ordinance. The senior citizens zone was not marked correctly. The area around Topanemus and Wyncrest is marked "R-10, Senior Citizens." The R-10 designation is not right because it means straight quarter acre. The change is being made to bring it up to Senior Citizens size. Another change in that zone: We believed from the calculations of our Planner that there would be approximately 600 units in that zone. Because of an error in the lot line, there were 80 extra acres in the zone which, if a developer built according to senior citizens concept, would bring the total units to one thousand. Planning Board recommended to the council that 2/3 of the zone be used for the senior citizens concept and the balance be 30/20 or 3/4 acre density single family homes. The arithmetic would be a maximum of 600 senior citizen units in the area and the rest of the area would be developed in single-family homes. If we opted to change zone district lines, then the Planning Board would have to hold a public hearing. Now that we are changing only language in the ordinance, it does not have to.

NP

As there was not further discussion the roll was called. The resolution and ordinance were adopted by unanimous vote.

Councilman Klau introduced Resolution #220-78:

WHEREAS, Joseph and Frances Grosso have, pursuant to law, deposited certain Performance Bonds with the Township of Marlboro in connection with the construction of the subdivision know as Oak Hollow, Section 1.

<u>Section #</u>	<u>Bond #</u>
Section No. 1	908709

WHEREAS, Joseph and Frances Grosso have requested a release of the above-mentioned Performance Bond pursuant to N.J.S. 40:55-1.22; and

WHEREAS, pursuant to said statute, upon receipt of the request by Joseph and Frances Grosso, the Township Council directed that a complete investigation and report be prepared by the Township Engineer within the time permitted; and

WHEREAS, the Township Engineer has reported to the Mayor and Township Council in connection with the necessary improvements within the subdivision known as Oak Hollow, Section 1.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the request by Joseph and Frances Grosso for a release or reduction from liability under the above-mentioned performance bond is granted and the said bond shall be released or reduced as follows:

<u>Section #</u>	<u>Bond #</u>	<u>Action re. Bond</u>
Section No. 1	908709	Reduced from \$66,131.00 to \$700.00

2. That the Township Clerk is authorized and directed to forward a copy of this Resolution to Joseph and Frances Grosso.

It was seconded by Councilman Vuola after which Council President Croddick asked Engineer Pieter Van Aartrijk whether he was satisfied with the work done at Oak Hollow. Mr Van Aartrijk said he was satisfied that Mr. Grosso had done a good job.

The Resolution was adopted by unanimous vote.

Council President Croddick introduced Resolution #221A-78:

WHEREAS, an emergency has arisen in the Township of Marlboro in that it is necessary to provide for Electrical Inspection; and no adequate provision was made in the 1978 budget for said purpose, and N.J.S. 40A:4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of emergency appropriations created, including the appropriation to be created by this resolution is \$11,000.00; and three per cent (3%) of the total operating appropriations in the budget for 1978 is \$72,076.42.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all of the members of the Township Council affirmatively concurring) that in accordance with N.J.S. 40A: 4-48,

1. An emergency appropriation be and the same is hereby made to provide for Electrical Inspection;

2. That said emergency appropriation shall be provided for in full in the 1979 budget;

3. That an "Emergency Note" not in excess of the above amount be authorized pursuant to N.J.S. 40A: 4-48 and in accordance with the provisions of N.J.S. 40A: 4-51;

4. That such note shall be executed by Marc Chalfin, Director of Finance and by Arthur Goldzweig, Mayor;

5. That said note shall be dated in 1978, may be renewed from time to time, and such note and any renewals thereof shall be payable on or before December 31, 1978;

6. That one certified copy of this resolution be filed with the Director of Local Finance.

It was seconded by Councilman Vuola.

Councilman Grossman asked whether the Director of Finance was here so that the resolution could be discussed. Mr. Bierman said he was not present and Councilman Grossman said he thought he should be here when municipal finances are being talked about. The Council President asked Deputy Mayor Newman (who was not present earlier but had just entered the room) whether the Director of Finance was here. The answer was "no."

Councilman Grossman said that we are borrowing against 1979. Councilman Klau asked why we had to borrow for electrical inspection. Councilman Grossman replied that there is no money to cover this service in the 1978 budget so the money will have to be provided next year. He stated that this was an emergency appropriation last year too; and in the absence of any administrative explanation, we do not have any.

Councilman Vuola said he did not think this was the answer Mr. Klau wanted. The reason this happened is because there is no way to know what the total of electrical inspection fees will be. The service we have now comes rather high.

The Council President said that although we charge for electrical inspections, there is no money in budget; no line item to pay for the inspections. They are under O/E.

Mr. Bierman said this happens because the State requires that we do this by bidding. The State insists on public bidding rather than contract. He stated that the bids will come in at about \$11,000 and the money must be provided.

Councilman Mc Clung said that perhaps this was a mistake made by the prior Business Administrator. He thinks the auditor should pick up these things.

The roll was then called and Councilman Grossman voted "yes" with a reservation stating that we are borrowing against 1979. The emergency resolution was adopted by unanimous vote.

Councilman Vuola introduced Resolution #221-78:

BE IT RESOLVED that the Acting Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids, as required by law, for the following work, labor and/or materials:

ELECTRICAL INSPECTION SERVICE

It was seconded by Councilman Mc Clung and adopted by unanimous vote.

Councilman Klau introduced Resolution #222-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings be approved as corrected:

December 8, 1977

May 22, 1978 - Special Meeting

May 25, 1978

The minutes were voted on separately as follows:

December 8, 1977 - Councilman Klau questioned the affirmative vote attributed to him on page 5 saying that his vote was negative. He asked the Clerk to check this. The minutes were accepted with Councilmen Klau and Mc Clung and Council President Croddick voting Aye; and Councilman Grossman abstaining since he was not on council at the time. Councilman Vuola abstained also since he was absent from this particular meeting.

May 22, 1978 (Special) - Councilman Grossman made corrections on page 1, 2, 3, 4, 6 and 8. Since the resolution stated that the minutes be accepted as corrected, they were accepted unanimously.

May 25, 1978 - Councilman Grossman made some corrections on his copy which the Clerk will use; and the minutes were accepted as corrected by unanimous vote.

Councilman Klau introduced Resolution #223-78:

WHEREAS, the Township of Marlboro has been and continues to participate in the Community Development Program of the County of Monmouth; and

WHEREAS, it is necessary to designate a representative to said program:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That Councilman Richard Vuola is hereby designated the Temporary Community Development Representative for the Township of Marlboro for the period until a new Business Administrator is designated by the Mayor.

2. Upon the designation and qualification of a Business Administrator, the said Business Administrator may be appointed as the Marlboro Township Community Development Program Representative.

3. That the Township Clerk is authorized and directed to forward a copy of this Resolution to the Monmouth County Community Development Program.

It was seconded by Councilman Grossman; and the Council President asked if there were any discussion.

Councilman Vuola said that this resolution was the culmination of Mr. Croddick's vendetta against him. He said the appointment of a C.D.A. representative was discussed at the caucus meeting before last, when he asked Council to say so if they did not want him. The matter came up at the last Council meeting and was removed from the agenda. On July 10th (caucus), Mr. Vuola said he was informed that Mr. Croddick was going to be the C.D.A. representative; but this changed in the course of the evening. Mr. Vuola told those at that caucus that he was Chairman of the C.D.A. representatives and that there was no dissension in the County. He reminded them that he had filled the post of C.D.A. representative for four years running. He has conducted an extensive program.

He continued that it would be nice to have a non-political person to come with him for the next three or four months so he could break in that individual. Once that was accomplished he would be willing to give up. He said this job required attendance at many meetings. The Steering Committee meetings last for a period of

ten weeks. Unfortunately for a Marlboro Councilman, the meetings are on Thursday evenings which is the best night for representatives from most of the 43 towns. It is the Marlboro Councilman who has a conflict. He would have no objection to the new Business Administrator as C.D.A. representative; but he will be so busy when he first arrives that he will not be able to get legislation off the ground by the end of the year. There is a lot of work to do by October first. This is the argument against this resolution as presented. Mr. Vuola said he thought last Monday night at caucus the problem had been resolved. He stated for the record that if the new Business Administrator cannot get this program off the ground, the township will suffer a loss in three years of \$750,00. Morganville will lose. It is a project designed by and for Morganville: hook-ups, sewers, housing rehabilitation, curbs, sidewalks. It is for the poor people. The Councilman concluded that he would not like to see this project go down the drain.

Council President Croddick stated that the monies for next year have been approved; and that he is sure Mr. Vuola will work with the new Business Administrator. He said that the work "would" in the resolution shall be changed to "may."

Councilman Klau addressed himself to Councilman Vuola's remarks. He said the Mayor had assured Council that the new Business Administrator would be of the highest caliber: a non-political person. He is confident that one of those candidates will be confirmed by Council; and he will have his office do the best for all the people through the C.D.A. program.

Councilman McClung asked why a change took place after the caucus discussion; and Council President Croddick explained that the language was not defined at the caucus.

The resolution was adopted by unanimous vote.

Resolution #223A-78 (Ordinance #22-78) was offered by Councilman Grossman:

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

"AN ORDINANCE SUPPLEMENTING AND AMENDING
ORDINANCE NO. 2-77 ENTITLED 'AN ORDINANCE
OF THE TOWNSHIP OF MARLBORO ESTABLISHING
A PLANNING BOARD AND ZONING BOARD OF
ADJUSTMENT PURSUANT TO THE PROVISIONS OF
CHAPTER 291 OF THE LAWS OF NEW JERSEY 1975;
PROVIDING FOR THE POWERS OF SAID BOARD;
FIXING THE PROCEDURES GOVERNING APPLICATIONS
TO SAID BOARDS AND APPEALS THEREFROM'"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on August 10, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman Mc Clung and adopted by unanimous vote, Councilman McClung introduced Resolution #224-78:

BE IT RESOLVED that Anthony E. Beyer is appointed as a member of the Zoning Board of Adjustment of the Township of Marlboro for an unexpired term to end on December 31, 1980, or until his successor is appointed and qualified.

It was seconded by Councilman Klau.

Councilman McClung said his vote on this would be against the procedure, not against the individual. There were no resumes submitted for this position.

Councilman Klau said this kind of talk puts us back to January. Someone else, not in the room now, is behind it: our former mayor. This is nonsense, an attempt to get things in the newspapers. He pointed out that Councilman Grossman sent out a letter to all members of council saying that this appointment would be on the caucus agenda; and it was fully discussed at caucus. The Council President read the man's qualifications and background at the caucus. Councilman Klau continued that when Mr. Croddick read the qualifications of Mr. Beyer, Councilman Mc Clung never said a word in objection.

Councilman Mc Clung said this was not true.

Councilman Vuola said it would be difficult to vote for Mr. Beyer since he did not know him. He would have liked interviews for this position, but none were held. He said his real objection to this appointment is that Mr. Beyer's past activities have been political; and some time ago the new majority said they would take politics out of government. He said he personally believes in politics in government.

The Resolution was adopted on the following roll call vote:
Councilmen Grossman, Klau and Council President Croddick, Aye;
Councilmen Mc Clung and Vuola, Nay.

Before the next resolution was offered, Councilman Vuola made some comments. There were no interviews for the Zoning Board Alternates; and he would have liked interviews. He does not know the two gentlemen being proposed and he thinks it is wrong to have to vote on them. But he is going to vote "yes" because of Councilman Klau's recommendation of Siegel and Councilman Grossman's recommendation of Broome. He will take the word of the councilmen that these appointees are not political and that they have good backgrounds.

Councilman Klau said against that all councilmen had been informed by letter by Councilman Grossman that this item would be on the agenda. The backgrounds of these two appointees were read last Monday night. He said he knew of no finer men than Messrs. Siegel and Broome who were being proposed as Zoning Board alternates. They are both attorneys, not involved in politics; they were never even asked how they are registered.

Councilman Klau said it was his honor to introduce Resolution #225-78:

It was seconded by Councilman Grossman.

BE IT RESOLVED that the following are appointed as Alternate members of the Zoning Board of Adjustment of the Township of Marlboro for a term expiring on December 31, 1979, in the order provided hereunder:

Alternate #1

William Siegel

Alternate #2

Theodore B. Broome

NOW, THEREFORE, BE IT FURTHER RESOLVED that the appointment made herein shall take effect immediately upon the effective date of an amendment to the Marlboro Township Land Use Ordinance providing for the appointment of said Alternates.

The discussion was similar to that on the previous resolution, Messrs. McClung and Vuola objecting to the absence of interviews and written resumes.

The Resolution was adopted by unanimous vote.

Council President Croddick introduced Resolution #226-78:

BE IT RESOLVED that Bridget Halliden is designated as Acting Deputy Clerk for a term to expire on December 31, 1978 or until her successor is appointed and qualified at the salary provided by the Salary Ordinance of the Township of Marlboro.

It was seconded by Councilman Klau.

Councilman McClung said he will vote against this resolution because he has always been opposed to the position of Deputy Clerk. He knows Bridget is well qualified; but she is moving to Colts Neck and this resolution involves making a change in the Administrative Code. He thinks we should insist that she resign when she moves. He believes there are Marlboro residents who are qualified for this position.

Councilman Vuola said he will vote against this resolution for the same reasons as expressed by Councilman McClung. He considers Bridget a personal friend of his and knows she has done an excellent job. His objection is that we are creating a position that will cause a payroll increase of one thousand dollars. And we are doing this for a person who will not be here more than three months. He said he would find it hard to do this. We are in a financial bind with a 5% cap. Hopefully that will be resolved in the future. Now another one thousand dollars for only a typist. And most of the remaining people are hired at the \$6,000 level. He said he would like to leave this as an open position which the administration might resolve when the new Business Administrator is on board.

Councilman Klau said that this individual being considered (Bridget Halliden) is the most qualified person in town for this position. The Clerk has nothing but praise for her. She is an asset to the town and the people in it. The position (of Deputy Clerk) is on the books. A Deputy Clerk must be in the office under the Clerk and Council. This person should not be under the administration. What this resolution is doing is putting the function of Government in order, putting the office of the Clerk in order. He said he would offer an amendment to the Administrative Code at the next meeting.

Once such a person is appointed by Council, she falls within the jurisdiction of the Clerk's office and not the administration. She does not work for the Clerk at the whim of the administration. The Clerk's office is very busy. Our Clerk is overworked, as Councilman Vuola has recognized. She is entitled to a deputy and Councilman Grossman supports this resolution because of need.

The Resolution was adopted on the roll call vote: Councilmen Klau and Grossman, and Council President Croddick voting Aye; Councilmen Mc Clung and Vuola, Nay.

Councilman Grossman introduced Resolution #227-78:

WHEREAS, the Township of Marlboro has undertaken the construction of a Police Headquarters and Municipal Complex and has entered into a Contract for architectural service in connection therewith; and

WHEREAS, the Architect and Project Inspector has recommended that plans be developed for additional plumbing into a portion the basement area under the present meeting room; and

WHEREAS, the Township Council of the Township of Marlboro has determined that it is desirable and necessary to provide for such plumbing; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Architects, Witthoefft and Rudolph, are hereby authorized and directed to prepare the necessary revisions to the plumbing design so that plumbing roughing can be installed during the current construction. That the fee to be paid for such additional design work shall not exceed \$200.00.

2. That upon acceptance of this Resolution by Witthoefft and Rudolph as indicated below, this shall form a part of the Contract presently between the Township of Marlboro and the Architects.
3. That the Township Clerk is directed to forward a copy of this Resolution to Witthoefft and Rudolph forthwith, with instructions to execute same and return to the Township Attorney's Office promptly.

Seconded by Councilman Mc Clung.

The Council President explained that the Council decided it was advisable to have rough plumbing installed under the meeting room of the Municipal Complex so that a shower and a men's room and a ladies' room can be built at a later date, possibly for use by Recreation.

The Resolution was adopted by unanimous vote.

Councilman Klau introduced Resolution #228-78:

WHEREAS, the Township of Marlboro has undertaken the construction of a Police Headquarters and Municipal Complex; and

WHEREAS, the Township Architects have recommended a revision in the Police Building to provide for an additional Trane fan coil unit for the Library-Conference Room; and

WHEREAS, the Contractor presently on the site has submitted a quotation for such work at \$1,471.00 and the Township Architects and Township Project Inspector have recommended this revision; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Contractor, M & R. Mechanical Contractors, Inc., is hereby authorized and directed to provide and install an additional Trane fan coil unit for the Library-Conference Room.
2. That the cost for said work shall be \$1,471.00.
3. That upon acceptance of this Resolution by M & R Mechanical Contractors, Inc. as indicated below, this shall form a part of the Contract presently between the Township of Marlboro and this Contractor.
4. That the Township Clerk is directed to forward a copy of this Resolution to M & R Mechanical Contractors, Inc. with instructions to execute same and return to the Township Attorney's Office promptly.

Seconded by Councilman Vuola.

Council President Croddick said this change-order would provide a better use of existing space.

The Resolution was adopted by unanimous vote.

Councilman Vuola introduced Resolution #229-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that GENERAL ELECTRIC COMPANY is determined to be the lowest responsible bidder covering the following work, labor and/or materials;

One Base Station

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Acting Township Business Administrator be and the same is hereby awarded to GENERAL ELECTRIC COMPANY on their bid of \$2,372.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman McClung and adopted by unanimous vote.

Council President Croddick introduced Resolution #230-78:

WHEREAS, it is the intention of the Township Council of the Township of Marlboro to resolve a continuing problem concerning the location of Collier's Lane within the Township; and

WHEREAS, one of the landowners has agreed and caused a survey to be made at his own cost and expense so that the location of Collier's Lane can be fixed and determined:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro accepts the dedication of land and premises known as Collier's Lane as shown on a sketch attached hereto and made a part hereof and the Township recognizes and acknowledges that the roadway identified as Collier's Lane on the attached sketch is a public road and right-of-way within the Township of Marlboro.

2. That the Township Clerk is authorized and directed to forward a copy of this Resolution with the sketch attached to the Zoning Board of Adjustment.

It was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Vuola introduced Resolution #231-78 (Ordinance #21-78):

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

"AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED 'AN ORDINANCE CREATING CERTAIN NO PARKING ZONES IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY'"

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on August 10th, 1978, at 8.00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Seconded by Councilman McClung and adopted by unanimous vote.

Councilman Klau introduced Resolution #232-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Special Permit for a Social Affair, pursuant to R.S. Title 33: C.1 of the State of New Jersey (Division of Alcoholic Beverage Control), be granted and it is hereby granted, to the Marlboro Jewish Center of 103 School Road West, Marlboro, New Jersey, in accordance with their Application No. A-23, which gives the date of said Social Affair as August 26, 1978, and the location as the Marlboro Jewish Center.

Seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Grossman introduced Resolution #233-78:

WHEREAS, Local Budget Law (N.J.S. 40A:4-1 et seq.) and the regulations of Local Government Board recommend the preparation of a Capital Budget for the expenditure of public funds for capital purposes to give effect to general improvement program; and

WHEREAS, the Township of Marlboro has undertaken the preparation of a Master Plan which shall include various recommendations for Capital Improvements in the foreseeable future; and

WHEREAS, it is anticipated that the Master Plan shall be completed within one year:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township of Marlboro shall not prepare a Capital Improvement Budget pursuant to N.J.S. 40A:4-43 in the year 1978.

2. That it is recommended that a Capital Improvement Budget be prepared immediately after completion of the Master Plan study now underway.

3. That the Township Clerk is directed to forward a copy of this Resolution to the Local Government Board of the Division of Local Government Service of the Department of Community Affairs.

Seconded by Councilman Vuola after which there was discussion as follows:

Councilman Grossman noted that there has been some talk at the caucus about appointing a finance-related committee. He is not sure whether it was to be part of this Resolution; but when the new Business Administrator comes on board he thinks the matter should come up for more formal discussion.

Mr. Bierman said he did not believe the committee should be part of the Resolution. We did, however, discuss the creation of a committee to work on a capital budget.

Council President Croddick announced that the committee would consist of Councilman Grossman, the new Business Administrator, the Mayor and himself.

The Resolution was adopted by unanimous vote.

Councilman Mc Clung introduced Resolution #234-78:

WHEREAS, Prime Feather & Down Company, et al. has filed litigation attacking the recently adopted Zoning Ordinance of the Township of Marlboro; and

WHEREAS, the Township Council of the Township of Marlboro believes the present Zoning Ordinance to be in the best interests of the Township of Marlboro;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED;

1. That the Township Attorney, Herbert B. Bierman, is hereby authorized and directed to do all things necessary to protect the position of the Township of Marlboro in the within-mentioned litigation.

2. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to the Township Attorney forthwith.

Seconded by Councilman Grossman and adopted by unanimous vote.

Council President Croddick introduced Resolution #235-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting Township Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids, as required by law, for the following work, labor and/or materials:

4000 Tons of Hot-Mixed Bituminous Concrete

and she is also authorized and directed to readvertise for open, competitive bids, as required by law, for the following work, labor and/or materials:

Vehicle Tires

Seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Klau introduced Resolution #236-78:

WHEREAS, the Department of Transportation of the State of New Jersey has heretofore constructed the Route 18 Freeway, and in connection therewith required a parcel of land known and described as Parcel 45 General Property Parcel Map Route 18 Freeway Section 8, March, 1965; and

WHEREAS, the Department of Transportation of the State of New Jersey has offered to purchase said parcel for the sum of \$2,500.00, and the Township Council of the Township of Marlboro has determined to convey said parcel to the State of New Jersey without the necessity of condemnation.

1. That the Township of Marlboro hereby conveys to the State of New Jersey for the sum of \$2,500.00 premises known as Parcel 45 General Property Parcel Map Route 18 Freeway Section 8, March, 1965.
2. That the Mayor and Township Clerk are authorized and directed to execute the necessary Deed and other documents of title to effect the above mentioned conveyance.
3. That the Township Attorney is authorized and directed to forward the said Deed to the Department of Transportation of the State of New Jersey and arrange for payment of the consideration of \$2,500.00.

Seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Vuola introduced Resolution #237-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

MANZO CONTRACTING CO. INC.

of P.O. Box 341, Matawan, N.J., be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

1. Coarse washed sand furnished F.O.B. Plant, loaded on Twp. Trucks, Distance Plant to Township Garage -- Miles

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	3,500	3.00	10,500

2. Grade A Road Gravel furnished F.O.B. Plant, loaded on Township Trucks, Distance Plant to Township Garage -- Miles

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	150	5.00	750.00

3. Grade A. Road Gravel delivered to Marlboro Township yard at Route 79 Township Garage.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	150	6.00	900.00

4. Clean fill dirt furnished F.O.B. plant of source, loaded on Township trucks. Distance Plant or source to Township Garage, Rt. 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	100	3.50	350

5. 3/8" Clear Blue Stone, delivered to Marlboro Township yard at Municipal Garage on Route 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	500	10.00	5,000.00

6. M-C-250 Tack Oil, Delivered to Marlboro Township Yard at Municipal Garage Rt. 79.

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Manzo Contracting Co. Inc.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman Mc Clung and adopted by unanimous vote.

Councilman McClung introduced Resolution #238-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

LYNCAR CORP.

of Cranberry Road, Farmingdale, N.J. be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

1. Coarse washed sand delivered to Marlboro Township yard at Municipal Garage Route 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	3,500	3.95	13,825.00

2. Hot-mixed Bituminous concrete type FABC or type SM., Patch Materials or repair course, furnished F.O.B. Plant loaded on Township Trucks. Distance Plant to Township Garage -- Miles

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	200	11.78	2,356.00

3. Cold-Mixed Bituminous patch material furnished F.O.B. Plant loaded on Township Trucks, Distance plant to Township Garage -- Miles

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	2,000	12.11	24,220.00

- \$. Cold-Mixed Bituminous Patch material delivered to Marlboro Municipal Garage, Route 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	2,000	12.88	25,760

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Lyncar Corp.

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That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman Grossman and adopted by unanimous vote.

Councilman Grossman introduced Resolution #239-78

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

TRAP ROCK INDUSTRIES INC.

of Kingston, New Jersey, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

1. 3/4" Clean broken stone furnished F.O.B. Plant, loaded on Township Trucks. Distance plant to Township Garage -- miles.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	1,500	3.60	5,400

2. 3/4" Blend Broken Stone furnished F.O.B. Plant, loaded on Township Trucks. Distance plant to Township Garage-- miles

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	2,500	2.85	7,125.00

3. 2 1/2" clean broken stone furnished F.O.B. plant, loaded on Township Trucks. Distance plant to Township Garage on Route 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	100	3.35	3,350.00

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Trap Rock Industries Inc.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Vuola introduced Resolution #240-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

STAVOLA CONTRACTING CO.

of P.O. Box 482, Red Bank, New Jersey, be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

1. 3/4" Clean Broken Stone delivered to Marlboro Township yard at Municipal Garage, Rt. 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	1,500	6.15	9,225.00

2. 3/4" Blend Broken Stone delivered to Marlboro Township yard at Municipal Garage, Rt. 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	2,500	5.65	14,125.00

3. 2½" Clean Broken Stone delivered to Marlboro Township yard at Municipal Garage on Rt. 79.

<u>Unit Measure</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
Tons	100	6.05	605.00

That a contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same same is hereby awarded to Stavola Contracting Co.

That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

Seconded by Councilman McClung and adopted by unanimous vote.

With regard to the general bill paying which was next on the Agenda, Council President Croddick announced that the Township Engineer had just handed him a voucher for the asphalt paver, properly filled in and signed by the vendor and by Sheila Fishkin. Since the paver is in use, this voucher should have been included in an earlier bill-paying. Inadvertently it was not. The Council President said it would be included tonight, if the councilmen had no objection. There were no objections and the voucher was added to the others.

Councilman Klau introduced Bill-Paying Resolution; a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted with the following roll call vote: Councilmen Grossman, Klau and McClung and Council President Croddick, Aye; Councilman Vuola, Absent.

RESOLUTION # 243-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Ace Aluminum Products	Swim Pool Capital Improv.	70.00	
Reliable Fire Protection	" " " "	550.00	
Seashore Stationers	Swim Pool O/E	26.28	
A. Colagouri	" " "	45.00	
S. Frankford & Sons	" " "	117.30	
Mon. Vacuum Cleaner Co.	" " "	59.95	
N.J. Bell	" " "	10.74	
Pool Management Assoc.	" " "	9,240.00	
Sears Roebuck & Co,	" " "	352.41	
Sportsfair, Inc.	" " "	190.80	
Systronics Inc.	" " "	175.00	
Jeff Warwick (Safire)	" " "	75.00	
	TOTAL:	10,912.48	

OFFERED BY: Grossman

AYES: 4

Absent: 1

SECONDED BY: McClung

NAYS: 0

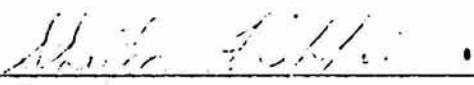

Marjorie E. Currey, Acting Township
Clerk


John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

7/7
Date


Treasurer

OFFERED BY: McClung

AYES: 4

Absent: 1

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

7/7
Date

John F. Croddick
Treasurer

RESOLUTION # 242-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Herbert B. Bierman Esq.	B.O. 20-77	1,500.00	
Electric Const. Corp.	" " "	10,125.00	
M. & R. Mechanical Contractors	" " "	20,034.00	
Dan McCarron & Son	" " "	33,480.00	
John Maltese Iron Works, Inc.	" " "	27,000.00	
Emanuel Milstein	" " "	2,400.00	
Testwell Laboratories, Inc.	" " "	103.75	
Witthoefft & Rudolph Arch.	" " "	1,741.00	
TOTAL:		96,383.75	

Councilman McClung introduced Municipal Complex Bill-Paying Resolution #242-78, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted on the following roll call vote: Councilmen Grossman, Klau and McClung and Council President Croddick, Aye; Councilman Vuola, Absent.

Councilman Grossman introduced Swim Club Bill-Paying Resolution #243-78; a copy of which is attached hereto and made a part hereof. It was seconded by Councilman McClung and adopted on the following roll call vote: Councilmen Grossman, Klau and Mc Clung and Council President Croddick, Aye; Councilman Vuola, Absent.

The Council President asked whether the members of Council would agree to adding a final resolution to the Agenda, namely, one awarding the bid for Road Department uniforms to Johns, Inc. As there were no objections, Mr. Croddick asked Attorney Bierman to prepare the resolution.

Council President Croddick introduced Resolution #244-78:

BE IT RESOLVED THAT:

1. JOHNS, INC. located at the corner of Hiram Street and Memorial Parkway, New Brunswick, New Jersey 08901, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: Road Department Uniforms;

2. That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents no on file with the Acting Township Business Administrator be and the same is hereby awarded to JOHNS, Inc. on their low bid of \$3,668.75;

3. That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Vuola and adopted by unanimous vote.

Councilman Grossman distributed a letter to the members of Council (with a copy to the Clerk) and to the Mayor and Township Attorney, announcing that the Legislative Advisory Committee will meet here on July 26th at 8 P.M. It will be a public meeting. The committee has been dormant for the past few months although early in the year it was responsible for the towing ordinance which was passed. Councilman Grossman concluded that council wants additional work from this committee and it is important that it become active again.

Council President Croddick opened the Public Session, asking whether any member of the public wished to speak.

Attorney Patricia Heffernan said she wanted to talk about the conduct of Councilman Howard Klau at the last Planning Board meeting. She reported that last week she was representing a client before the Board and Mr. Klau commented to the press that he thought her representation was unethical. She said she is also a believer in stringent ethics and she went immediately to the New Jersey Supreme Court Committee on Ethics. The Committee said it was entirely proper for her to represent a client before the Planning Board; that there was no conflict of interest, no impropriety. She stated that it is her understanding that as an attorney she must act ethically; and that a public figure should do the same, especially as representative of the township such as a councilman. She believes that Councilman Klau acted irresponsibly; that he used his position to act unethically. His talking to the press may have affected my reputation and my business. She does not know what the Council may wish to do about it; but she does expect an apology from Councilman Howard Klau. She thinks Councilman Klau's remarks were almost slanderous. Speaking directly to the councilman she concluded: "I hope that after you read the Asbury Park Press story you will give me the apology I deserve."

Councilman Klau made the following reply:

"I said that in my opinion anyone receiving compensation from the township should not appear before any board or agency of the township. In my opinion, this is it. That stands then and now. These are my standards which I would like to see upheld."

Mrs. Alyce Lathrop said she was feeling like Alice in Wonderland, trying to track down an ordinance for ten months. She thought she had it when the Clerk gave her a reprint of Ordinance #8-77 which refers to building on one and one-half acres without sewers. However, this is not what she has been searching for. She telephoned the State and learned that Chapter 199 should be the reference to State law. She would like the township laws to be codified. If there is a Federal grant, she wonders why we cannot get our laws in order so that when a citizen wants one it is available.

Mr. Bierman said it is required that a township solicit bids from groups that do this kind of work. In the past we have received bids of from \$15,000 to \$20,000.

Council President Croddick asked the Acting Business Administrator to check with the grants people to see whether Federal money is available for this purpose. He requested her to get specific information so that it can be discussed at the next caucus meeting. We might go to bid at the next meeting.

Attorney Bierman stated that the information Mrs. Lathrop apparently wants is in the new zoning ordinance. All amendments are in that new ordinance. He believes Section 6 refers to building without sewers. It is included in the general revision of our zoning.

Mrs. Lathrop then asked whether our zoning conformed to the Land Use Law which we published in 1977. She knows it is an interim ordinance. Mr. Bierman said he assumed the council had extended it.

There was a further exchange between the speaker and the Township Attorney, after which Mr. Bierman said he did not understand what she was asking for. She spoke about the last paragraph of Ordinance #8-77 which makes it an interim ordinance and the question is whether it has been extended. Mr. Bierman said he would give her a written reply.

The meeting was adjourned at 10:12 P.M.

Minutes Approved: September 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECK ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Twsp. of Marlboro	Net Payroll	37,549.37	17614
C.J.B.T. Co.	Emps. Payroll Deduct.	6,744.62	17615
State of N.J. Div. of Tax	State Gross Income Tax	1,911.04	17616
Twsp. of Marlboro	Unemploy. Ins. Trust Fund	900.98	17617
State of N.J.	S.S. Fund	38,023.00	17618
State of N.J.	S.S. Admin. Acct.	10.00	17619
Morganville Postmaster	Admin. o/e	200.00	17620
Marlboro Postmaster	Admin. o/e	100.00	17621
Public Assistance	Public Assistance	1,952.00	584-593
Marlboro Animal Hosp.	Dog License a/c	150.00	1535
N.J. State Dept. of Health	" " "	14.50	1536
Charles Froehlich	Bldg. Trust Fund	225.00	76
Awnair	" " "	92.00	77
Aqua Clear Pools	" " "	250.00	78

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>PAYEE</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Robert Davis	Bldg. Trust Fund	200.00	79
Joseph & Delores Ferrari	Other Trust Fund	267.40	265
	Total:	88,589.91	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Bd. of Fire Commissioners	Fire District Taxes	27,250.00	
Bd. of Ed. F.R.H.S.	F.R.H.S. Dist Taxes	257,910.37	
Marl. Twsp. Bd of Ed	Local School Dist. Tax	242,812.00	
The Bayshore Independent	Administration	1,377.95	
Central Mall Stationers	" "	28.50	
Marjorie E. Currey	" "	20.10	
Automation Paper	" "	147.43	
A.&P.	" "	105.89	
Asbury Park Press Inc.	" "	232.42	
IBM Corp.	" "	260.60	
Roger Lawrence Photography	" "	100.50	
N.J. Office Supply Co.	" "	192.60	
General Office Supply Co.	Admin.	5.90	
	Finance	6.69	
	Recreation	<u>42.00</u>	54.59
Bayshore Stationers	Admin.1977	32.27	
	Admin.	40.76	
	Tax Coll.	36.08	
	Insp.	<u>12.52</u>	121.63
John R. Fiorino,Dr.	Elections	580.19	
Municipal Finance Officers Assoc.	Finance	70.00	
Municipal Market Develop. Public Securities Assoc.	Finance	9.00	
Revenue Sharing Advisory Ser.	" "	25.00	
Joseph C. LaMura	Tax Assessor	109.20	
ATC Computer Services	" "	107.50	
E. Usher - J. Pilato Co.	Tax Collector	124.37	
	Admin.	<u>62.67</u>	187.04

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
N.J. Bd. of Professional Planner	Engineer	110.00	
Con Fran Square, Inc.	Pub. Bldg. & Grds.	3,375.00	
Nade Services	" " " "	53.40	
Battleground Maint. Supply Co.	Pub. Bldg. & Grds.	102.75	
	Police	72.00	
	Library	<u>48.10</u>	222.85
State Shorthand Reporting Ser.	Planning Board	165.00	
Norman B. Kauff, Esq.	Bd. of Adjust Cont.	951.17	
	Bd. of Adjust.	<u>1,471.00</u>	2,422.17
Battle of Monmouth Parade Committee	Comm. & Gov't. Relations Historical Sites	1,000.00	
Jacob Emmanuel, Inc.	Insurance	6,343.56	
Camera Showplace	Police	10.00	
Marlboro Dry Cleaners Inc.	Police	297.50	
N.J. State Police Training Center	Police	40.00	
Red the Uniform Tailor Inc.	Police	183.80	
Scrub-A-Dub	Police	54.00	
Joseph A. Mazzeo	Police	146.40	
	Fire Marshal	<u>123.00</u>	269.40
John Cavaliere	Inspections	42.75	
Mon. County Bldg. Insp. Assoc.	" "	10.00	
Edward Savoie	" "	171.60	
L.D. Seely Co.	Hwy. Safety	1950.00	
	Sts. & Rds.	14.75	
	B.O. 3-74	<u>62.40</u>	2,027.15

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Garden State Equip Supply	Sts. & Rds.	2,000.00	
Lyncar Corp.	" " "	681.86	
C.H. Roberson, Inc.	Sts. & Rds. 135.91 Equip. Maint. <u>5.80</u>	141.71	
B. & B. Auto Radiator & Auto Glass	Equip. Maint.	70.00	
C.J. Dodge Truck Center Inc.	" "	53.28	
General GMC Sales, Inc.	" "	4.92	
George Chevrolet Inc.	" "	14.24	
N.J. Equip. Co.	" "	178.90	
Tom's Ford Inc.	" "	384.93	
Matty's Auto Parts, Inc.	Grds. Maint.	175.00	
Monmouth County Garden Center & Nurseries	" "	604.77	
W.H. Potter & Son, Inc.	" "	376.45	
Shore Tractor Co.	Grds. Maint. 71.92 Equip. Maint. <u>188.90</u>	260.82	
Freehold Lumber Co.	Grds. Maint. 40.30 B.O. 18-75 <u>9.64</u>	49.94	
J.C.P.L. Co.	St. Lighting 6,307.63 Utilities <u>1,059.62</u>	7,367.25	
N.J. Nat. Gas Co.	Utilities	48.50	
N.J. Bell	" "	178.21	
Kepwel Spring Water Co.	" "	71.00	
Gordon's Corner Water Co.	" "	51.37	
Harris Hardware	Police	4.58	
Associated Humane Societies	Dog Regulations	480.00	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Accolo Designs Inc.	Recreation	777.29	
Lakewood Trophy & Awards	" "	151.50	
Mid-Jersey State Youth Soccer Assoc.	" "	210.00	
Ray Croft Distributors	" "	28.25	
18 Glass Co.	Library 1977	510.00	
The Kingsley Library Equipment Co.	Library 1977	749.86	
Sears & Roebuck	Library	104.88	
Stavola Contracting Co.	B.O. 3-74	344.05	
Laughing Boy Farms Inc.	B.O. 3-74	2,091.90	
Con-Lux Coatings, Inc.	B.O. 3-74	264.00	
J.J. Materials Co.	B.O. 3-74	118.65	
	B.O. 18-75	<u>67.30</u>	185.95
Builders Block & Supply	B.O. 18-75	1,070.50	
TOTAL:		\$ 568,186.60	
		589,686.60	
L. D. Seely Company (for Asphalt Paver)	21,500.00	\$ 589,686.60	

OFFERED BY: Klau

AYES: 4

Absent: 1

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

7/2/24
Date

John F. Croddick
Treasurer

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

MARCH 9, 1978

The meeting was called to order at 8 P.M. by Council President Croddick. After the salute to the flag, the Clerk called the roll which indicated the following attendance: The Council President and Councilmen Grossman, Klau and Vuola; Business Administrator Mary T. Denton, Township Attorney Herbert B. Bierman, Deputy Mayor James Newman.

The Council President read the following announcement of meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Daily Register on February 9, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the Clerk.

Bids were received for a vacuum street sweeper and for sports equipment and supplies.

The Council President opened the bids for the vacuum street sweeper and announced them as follows:

Cummings Company, Inc. of Garwood, New Jersey - one Ecoletec vacuum street sweeper: \$40,432.00.

W. E. Timmerman and Company, White House, New Jersey - \$46,405.00; another unit, \$44,164.00; a demonstrator, \$40,040.00.

These bids were turned over to the Township Engineer for recording and for his recommendation so that a decision can be made at the next Council meeting.

In the sports equipment category, bids were received from three companies, as follows:

Ethlinger of Bound Brook, New Jersey - T Shirts: Boys, \$23.10 per dozen; Mens, \$26.25 per dozen.

Ecolo Designs of Brooklyn, New York - T Shirts: Boys, 22.25; Mens, \$25.75; Lettered front and back, Boys, \$25.25; Mens \$28.75. All shirts made in U. S. A.

Since there were several other classifications of T shirts in this bid, Mr. Bierman suggested to the Council President that all the prices be recorded by the Clerk. The Township Attorney read off the following per dozen prices: \$22.25, \$25.75, \$25.24, \$28.75, \$26.00, \$27.50, \$27.00 and \$30.50.

Metuchen Center, Inc. - T Shirts: 100% cotton - \$24.96 per dozen for boys; \$28.05 for mens; with lettering, \$30.96 for boys; and \$34.08 for mens.

There were no bids for trophies. The bids received were turned over to the Business Administrator so the awards can be made at the next Council meeting.

Administrative Report

The Mayor was not present to give a report, per se, but Deputy Mayor Newman said he would like to speak. He said Police Chief Walker had just informed him of the winning of a long battle for the residents near the intersection of Tennent Road and Route 520. At present, there is only a traffic control signal there. Today we received approval from the Department of Transportation for a red/green light. We have fought for several years to get a full stop and go light at this dangerous intersection, and the State only saw fit to approve the request today. This is good news for all residents of the Township. We will do everything possible to expedite the installation of this light. Mr. Newman publicly thanked Chief Walker and Lieutenant Stover and Patrolman Miller who have worked hard on this problem. The State is also considering a light for Lloyd Road and Route 79.

The Council President thanked Chief Walker and said it was too bad several people had gotten hurt at that intersection (Tennent and 520) before the light could be installed.

Citizens Voice

No member of the public signed up to speak.

Councilman Vuola introduced Resolution #54-78 (Ord. #3-78):

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

AN ORDINANCE LICENSING, REGULATING
AND FIXING THE RATES FOR WRECKERS
IN THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on March 23, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by Councilman Klau who stated that the Ordinance thus introduced is the first one prepared by the Council Advisory Committee. The members of the committee worked many hours

reviewing a goodly number of such ordinances from other townships. They put together the regulations which will be best for Marlboro. This ordinance is a way of controlling fees charged for towing cars.

The Resolution was adopted by the unanimous affirmative vote of the four Councilmen present.

Councilman Klau introduced Resolution #66-78 (Ord. #4-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE OF THE TOWNSHIP OF MARLBORO ESTABLISHING A PLANNING BOARD AND ZONING BOARD OF ADJUSTMENT PURSUANT TO THE PROVISIONS OF CHAPTER 291 OF THE LAWS OF NEW JERSEY, 1975; PROVIDING FOR THE POWERS OF SAID BOARDS; FIXING THE PROCEDURES GOVERNING APPLICATIONS TO SAID BOARDS AND APPEALS THEREFROM'

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on March 23, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by Councilman Grossman, following which there was discussion.

Council President Croddick said that this is an ordinance which he asked the Township Attorney to draw up. It gives the citizens of this township the right to appeal a decision made by the Zoning Board or the Planning Board. They can come before Council for a reversal. He concluded by saying that some people have been disturbed by decisions of the Zoning Board and the Planning Board; and this will give them an opportunity to come before this body (Council) as a court.

Attorney Bierman said that this ordinance contains the procedure adopted by the State Land Use Law. We did not have this in our existing ordinance. By using this language, the township adopts the procedure that is permitted by the State statute. It permits an appeal to the Council of an action by the Planning Board (primarily the Planning Board). That appeal would be based on the record below.

"You do not have a new hearing. Under the enabling act, you can consider an appeal, but only on the record as it was submitted to the Board below. You get a transcript and you rule based on that record."

The Resolution was adopted on the unanimous affirmative vote of the four Councilmen present.

Councilman Grossman introduced Resolution #68-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro, in the County of Monmouth, that the Division of Local Government Services of the State of New Jersey be and is hereby requested to conduct an in-depth review of the purchasing and bidding practices of the Township Council as soon as possible.

BE IT ALSO RESOLVED that a certified copy of this Resolution be forwarded immediately to the Division of Local Government Services, 363 West State Street, Trenton, New Jersey 08625, Attention of Mr. John F. Laezza, Jr., Director, and to the Township Auditor.

The Resolution was seconded by Councilman Klau. Councilman Vuola inquired who brought this matter up. Councilman Klau said he did. He agrees with Councilman Grossman that we should take advantage of the State's free service.

Councilman Vuola said this sounds as though Council is calling for an investigation. He does not think we need this investigation since we award to the lowest bidder and purchase from a State list.

Councilman Klau said he did not know whether Mr. Vuola looked through the bill-paying at the caucus Monday night. There were so many vouchers dated a year after the payments were made. Some of the vouchers were not properly prepared. He insisted it is time we were reviewed by outside sources. He had thought of requesting our own Auditors to perform this review for pay. But Councilman Grossman, on a visit to Mr. Laezza, found out that we can get such a review, without cost, from the State of New Jersey. Councilman Klau thanked Councilman Grossman for saving us money.

Councilman Grossman said he hopes for some constructive recommendations out of this. He wants it understood that he is not accusing anyone. This review will be a double check as to whether the township is bidding and purchasing correctly; and whether it can perform any part of the procedure in a better way.

Deputy Mayor Newman said he wanted to correct Councilman Klau. He stated that Klau had never received a voucher after funds were paid. The Councilman said he did not mean to say this; he meant after the goods were received.

Councilman Klau then read from the Auditor's report of 1976. He said the State requires anything over \$2600 in cost to go out for bids. But the requisition and purchase order system are not mandated by the State. Marlboro has used them for many years. The procedure is correct and good; but it can be changed by this Council. He concluded that he welcomes an independent report on our bidding and purchasing procedures, even though we have done a very good job.

The Resolution was adopted on the following roll call vote: Councilmen Grossman, Klau and Council President Croddick, Aye; Councilman Vuola, Nay.

Councilman Vuola introduced Resolution #69-78 (Ord. #6-78):

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

AN ORDINANCE CREATING CERTAIN TRAFFIC
REGULATIONS AT THE MARLBORO TOWNSHIP
HIGH SCHOOL DRIVEWAY WITH ITS INTER-
SECTION OF ROUTE 79

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

BE IT FURTHER RESOLVED that the same be considered for final passage on March 23, 1978, at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by Councilman Klau. As there was no discussion, the roll was called and the Resolution was adopted by the four affirmative votes of the Councilmen present.

Councilman Klau introduced Resolution #73-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Attorney is authorized and directed to defend the law suit commenced by Beacon-Hill Pleasant Valley Civic Association, et al. v. Township of Marlboro, et al.

The Resolution was seconded by Council President Croddick who then asked Mr. Bierman to explain the suit. The Township Attorney said that the civic association is attacking the Council and the Zoning Board for the variance granted to the builder of Reid's Hill Estates.

The Resolution was adopted by the affirmative vote of the four Councilmen present.

Councilman Grossman introduced Resolution #74-78:

WHEREAS, an emergency has arisen in the Township of Marlboro in that it is necessary to obtain uniforms for participation in the soccer program by the Recreation Department; and

WHEREAS, the need for obtaining the said uniforms immediately does not permit the Township to expend the time necessary for advertisement, etc.; and

WHEREAS, the total expenditure is approximately \$600.00 and the Recreation Department has investigated and obtained informal bids and has determined that the lowest bid consistent with the requirements of the Township is \$600.90; and

WHEREAS, the Budget of the Recreation Department has provided for said expenditure;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the voucher for soccer uniforms in the amount of \$600.90 payable to The Rec. Room, Pine Creek Square, Marlboro, New Jersey, is hereby approved and the Township Treasurer is authorized to pay same in the usual course.

The Resolution was seconded by Councilman Klau.

Councilman Vuola said he had a problem with this Resolution. He believes that if we had received bids tonight we would not have needed this Resolution.

Council President Croddick said that no bids were received for soccer uniforms. He said he asked for the Resolution to help the soccer people.

Councilman Vuola had a brief, private, consultation with the Township Attorney.

Councilman Klau stated that Mr. Bierman had informed him that this Resolution could be on the agenda, since the teams were underway, and were without uniforms.

The Council President said the Resolution could be removed from the agenda if Councilman Vuola, or any other Councilman, had a problem with it.

Councilman Grossman said perhaps the Resolution might be deferred until the end of the meeting, by which time someone from Recreation might come in and come forward with an explanation.

Council President Croddick said he had no problem with the Resolution as it stands. Since Council will soon reach the end of the agenda, he asked the Clerk to call the roll.

The Resolution was adopted by the affirmative vote of the four Councilmen present.

Councilman Vuola introduced the general bill-paying, Resolution #70-78, a copy of which is attached hereto and made a part hereof.

The Resolution was seconded by Councilman Klau and adopted on the following roll call vote: Councilman Klau and Council President Croddick, Aye; Councilmen Grossman and Vuola abstained because they had not been present at the caucus and thus had not reviewed the bills ~~apared~~ by the Resolution.

Councilman Klau introduced the Municipal Complex bill-paying, Resolution #71-78, a copy of which is attached hereto and made a part hereof.

The Resolution was seconded by Council President Croddick and adopted on the following roll call vote: Councilman Klau and Council President Croddick, Aye; Councilmen Grossman and Vuola abstained for the reason given above.

Councilman Grossman introduced Swim Club bill-paying, Resolution #72-78, a copy of which is attached hereto and made a part hereof.

The Resolution was seconded by Councilman Vuola and adopted on the affirmative vote of the four Councilmen present.

Councilman Klau introduced Resolution #75-78, an Emergency Temporary Resolution Prior to Adoption of Budget:

WHEREAS, an emergent condition has arisen with respect to additional Other Expenses required and no adequate provision has been made in the 1978 temporary budget for the aforesaid purpose, and N.J.S.A. 40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 1978 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A: 4-20) including this resolution total \$53,900.00;

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A: 4-20,

1. An emergency temporary appropriation be and the same is hereby made for:

Division of Recreation S/W	\$2,700
	<hr/>
TOTAL	<u>\$2,700</u>

2. That said emergency temporary appropriation will be provided in the 1978 budget under the title of:

Recreation and Open Space:
Salaries and Wages:
Division of Recreation.

3. That one certified copy of this resolution be filed with the Director of Local Government Services.

The Resolution was seconded by Councilman Vuola.

Council President Croddick opened the discussion by saying that this is an emergency appropriation to the temporary budget. "When we discussed the Recreation budget two weeks ago, I made a statement that there would be no emergency appropriations for the Recreation Department. We haven't even approved the budget, and we have an emergency appropriation - to the temporary budget. I do not think it is time for us to discuss this.. I think it should wait until the caucus meeting, when we can have the Recreation Department come in and explain why they have to have \$2700.00. What is your feeling, gentlemen?"

Deputy Mayor Newman asked to speak. He said it was not really an emergency resolution in the sense that you are talking about transferring or giving them extra funds. This transfer comes out of their present budget. It happens that the Business Administrator gave them the same funds she gave them last year, \$5000.00. In the temporary budget, you are allowed to give one-quarter of the whole budget. Five thousand dollars is way under one-quarter. Apparently, this year, as opposed to last year, they are running a little heavy on some programs in the beginning of the quarter. Five thousand, which was good last year, just didn't carry them through, bringing them to a situation where we have to spend further funds. He stated that Recreation needs a little heavier amount in the beginning than they needed last year. We are not talking about spending any extra funds here.

Council President Croddick asked the Business Administrator whether Recreation had paid its people last month.

Mrs. Denton said they had paid their people through the end of February. For the first two weeks in March, they are shy \$477.00. She explained that last year, with the same amount of money, Recreation made it through the end of March. She suggested that if we don't go for the \$2700.00, we ought to go for the \$577.00. The pay period is coming up Wednesday of next week. For the last two weeks of March, they have nothing. The salaries are the same; but they hired more people for the first quarter than they did last year.

The Council President asked why Recreation did not tell the Council in February that they could not make it through March; instead of coming in with a resolution like this on March 9th.

The Business Administrator said Recreation did not tell her until last Tuesday of this problem. Had they told her on Monday, she could at least have brought the subject up at the caucus meeting.

Council President Croddick said he was not voting for this Resolution. He said it was time this sort of thing stopped because it gets ridiculous after a while.

Councilman Klau said if they were efficient administrators, they would have known that the budget did not have enough money in it. Instead of realizing that, they continue to hire people, knowing there is not enough money in the budget. This is the mismanagement of the program which we talked about last year. At the end of August last year, they came before Council and said that if they didn't get more money, the kids would be out in the streets. The summer program would be over.

"Once again I say this is mismanagement, but we can't throw the kids out on the street. Changes have to be made in administration to see exactly how Recreation is being mismanaged." Councilman Klau believes Council should place on this agenda tonight at least the monies that have been expended; and take up the matter of additional funds at the next caucus meeting.

Business Administrator, Mary Denton, made it clear that after the fifteenth there will be no money to pay salaries.

Councilman Klau said we must try not to compound this wrong that has been done for the tenth or twentieth time: spending money without an appropriation. But he still insists that he cannot throw the kids out on the streets.

Councilman Klau then said he thinks we should vote for the monies we are shy; and at the next caucus take up the matter of additional funds. He feels that nobody should work after March 15th.

Mr. Bierman concurred in not wanting to compound the wrong of spending money which a department does not have.

Councilman Vuola said that we cannot refuse to pay those now working until March 15th. They must be paid. Then we must meet with Recreation to ask how they are spending their money, why they so often get in financial trouble and where their money is going.

The Business Administrator said we cannot wait until after the 15th.

The Council President said he would decide tonight and that he would put the Resolution on the agenda. But he said this cannot continue to happen.

Deputy Mayor Newman said this is not an emergency appropriation. Our budget is being introduced late this year. The transfer we are asking for here is from monies in the budget. Recreation is running a little heavy on expenses for the first quarter of this year. But they are well within 25% of the total budget for the first three months. They are asking for \$2700 out of their own funds. It should not be a major problem to pay them out of their own budget.

The Council President said that if they add more people they will be in trouble again.

Councilman Grossman asked the Deputy Mayor whether we would be faced with this situation right now if our final budget had been adopted in February.

The Deputy Mayor replied "absolutely not."

Councilman Klau said the Recreation Committee should have told us earlier that they had to use up their money faster. They knew they were going to have to pay more than \$5000 for salaries. They could have presented this fact at the time of the temporary budget. We decided last August that their expenses would be monitored against their budget.

Councilman Vuola said he wants no emergency appropriation. The answer is to get efficient management so Recreation does not go through its money too fast.

Council President Croddick asked the Clerk to call the roll. The Resolution was adopted on the following vote: Councilmen Grossman, Klau, McClung (who had come in at 9:04 P.M.) and Vuola, Aye; Council President Croddick, Nay.

Councilman Vuola asked that another Resolution be placed on the agenda tonight. It covers our fourth year of participation in Community Development Block Grants. It was agreed that this should be added to the agenda.

Council President Croddick introduced Resolution #76-78 (Ord. #5-78):

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

AN ORDINANCE AUTHORIZING THE MAYOR
AND MUNICIPAL CLERK TO EXECUTE AN
AGREEMENT WITH MONMOUTH COUNTY TO
MODIFY THE INTERLOCAL SERVICES AGREE-
MENT DATED MAY 29, 1975.

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

BE IT FURTHER RESOLVED that the same be considered for final passage on March 23, 1978, at 8:00 P.M. at the Marlboro Township Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by Councilman Vuola who explained that we had \$100,000 more coming to the township, part of it for a Senior Citizens' Center.

The Resolution was adopted unanimously on the roll call vote.

The meeting was adjourned at 9:10 P.M.

Minutes Approved: _____

Marjorie E. Currey
Acting Township Clerk

John F. Croddick
Council President

RESOLUTION # 70-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
N.J. Employ. Health Benefits	Health Benefits	2,132.80	17023
N.J. Dep. H.B. Fund	" "	2,294.46	17024
Pub. Assist. Trust Fund	Public Assist.	1,500.00	17065
Clerk of Mon. County	Admin. & Exec.	100.00	17066
Twsp. of Marl. Net Payroll a/c	Net Pay Exchange	39,696.96	17069
Central Jersey Bank & Trust	F.I.T. Emp. Pay Ded.	6,810.93	17070
Central Jersey Bank & Trust	Debt Service	58,500.00	17071
St. of N.J. Div. of Taxation	Emp. Pay. Deduct.	2,149.08	17072
Public Assistance	Public Assistance	1,010.00	540-54
Donnell & Hennessey Hayes	Bldg. Trust Fund	60.00	73
Estate of Mrs. R. Hanaway	Other Trust Fund	127.46	264
Schoor Engineering	Comm. Devel. Blk. Grant Trust Fund	290.23	136
TOTAL :		\$ 114,671.92	

<u>ADOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>
Bd. of Ed. F.R.H.S.	District Taxes	96,782.68
Mar. Twsp. Bd. of Ed.	" "	310,018.00
C.J.B.T.Co.	Pub. Bldg. & Grds.	3,375.00
Automation Papers Co.	Administration	52.08
N.J. State League of Mun.	Admin. 1977	80.00
N.J. Conference of Mayors	Administration	100.00
Bayshore Stationers	Admin. 30.34 Sts. & Rds. 10.52 Police <u>269.28</u>	310.14
Mun. Finance Officers Assoc.	Finance	5.00
Joseph C LaMura	Tax Assessor	100.50
Raymond Jensen	Pub. Bldg. & Grds.	115.00
Gale's	Planning Board 1977	63.34
The Daily Register	Bd. of Adjust	30.16
The Advisor Inc.	Econ. Devel. Ind Devel.	379.20
Club Bene	Senior Citizens 1977	292.50
National Directory Co.	Police 1977	110.00
Division of State Police	Police	25.00
General Office Supply Co.	" "	170.21
Law Enforcement Assoc.	" "	180.00
N.J. State Training Center	" "	40.00
Marlboro Dry Cleaners Inc.	" "	208.00
V.E. Ralph & Son Inc.	" "	52.30
Walter Heath Co. Inc.	" "	82.25
Amer. Society of Bldg. & Const. Inspectors	Inspections	25.00
Edward Savoie	" "	181.65

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CR</u>
Al Storer Trucking	Sts. & Rds.		3,687.50
Becker Hardware, Inc.	Sts. & Rds.		53.34
Lyncar Corp.	" "		329.49
Marlboro Restaurant	" "		209.36
Paul Bunyan Tree Service	" "		70.00
Bernie Preis	" "		150.00
Romeo's Pizza & Restaurant	" "		61.20
Sears Roebuck & Co.	" "		114.95
L.D. Seely Co.	" "		71.95
C.H. Roberson Inc.	Grds. Maint.	35.80	
	Sts. & Rds,	<u>188.48</u>	224.28
Joseph A. Mazzeo	Sts. & Rds.	189.60	
	Police	<u>157.70</u>	347.30
Colot's Service	Equip Maint.		218.00
Franklin's Garage	" "		207.69
General G.M.C. Sales Inc.	" "		22.50
A.S. Gilbert Inc.	" "		887.56
Industrial Welding Supply Inc.	" "		30.76
J.C.P. L. CO.	St. Lighting	6461.60	
	Utilities	<u>3114.86</u>	9,576.46
N.J. Bell	Utilities 1977-	36.56	
	Utilities	<u>1653.76</u>	1,690.32
N.J. Natural Gas Co.	Utilities		441.68
Sprague's Oil Service Inc.	" "		642.25
Associated Humane Societies	Dog Regulation		465.58

<u>ENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CR. #</u>
Marlectric, Inc.	Library 1977	29.62	
Warnock-Ryan Dodge, Inc.	B.O. 10-77	6,981.00	
Manzo Contracting Co.	B.O. 10-77	895.80	
Herbert B. Bierman Trust A/C	B.O. 14-73	929.90	
	TOTAL:	\$ 441,116.50	

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

AUGUST 10, 1978

The meeting was called to order at 8:02 P.M. by Council President Croddick. After salute to flag, Clerk called roll showing Councilmen Mc Clung and Vuola absent. Councilmen Grossman, Klau and the Council President were present.

Others present: Mayor, Attorney and Acting Business Administrator, Richard M. Cardillo.

Council President Croddick read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act; notice of this meeting was sent to the Asbury Park Press and the Daily Register on February 9th, 1978; posted on the bulletin board of the Municipal Offices; and filed in the office of the clerk.

The Council President then asked whether there were any bids to be presented. The Acting Business Administrator said there were bids for asphalt and for a curbing machine which he handed to Mr. Croddick. Since there were no additional bids, he declared the bidding closed. He requested Mr. Cardillo to tabulate the bids and advise him of the lowest bidder in each category later in the meeting.

Citizen's Voice

Russell Reeves of Beacon Hill Road addressed his remarks to the new Ordinance #14-78 which permits appeals from a Planning Board decision to the Council. He is acquainted with the Notice of Appeal from Mrs. Lathrop. He attended the caucus last Monday night and is concerned about the Township's attitude toward the citizens who filed this appeal (Pleasant Valley Preservation Society). He wonders how such a notice of appeal could possibly be made acceptable. During the ten-day period allowed for presenting an appeal, it is not possible to obtain a transcript of the relevant hearing of the Planning Board. A person usually does not get to all the Planning Board hearings over a period of four or five months. People living adjacent to a building site are not aware of a Developer's application. It is only when they get notice of the Public Hearing before the Planning Board that they realize what is happening. A citizen may state his views before the Planning Board at the hearing; but if those views are rejected the only way for further consideration is to go to the Council or to the Courts. The developer has a profit incentive and thus can take risks. The homeowner only tries to maintain the status quo in his or her area. One can question, therefore, the incentive for the homeowner to spend money on an attorney. The citizen can only lose. In any event, he is out money. It should be possible under our ordinance for citizens to file with a minimum amount of expense.

Mr. Reeves does not think the argument of Doree Construction Company against Pleasant Valley's notice of appeal is justified. The township is its citizens. They have rights here just the same as the applicant developer. But it appears that the person who has the most rights is the person who has the most money to define those rights. Council should let this appeal follow its course, whether or not the notice of appeal is weak. Council must accept the possibility that the developer may sue the township. He definitely thinks the Council should hear this case.

Mrs. Alyce Lathrop was the next speaker. She apologized for being late. She does not know what has been said so far. She wants to know the outcome of Council's deliberations at the caucus last Monday night. She also inquired why Council deliberated in closed session. Is this permissible under the Sunshine Law?

Council President Croddick asked Attorney Bierman to respond to Mrs. Lathrop's questions.

Mr. Bierman said that private discussion of a matter which might lead to litigation was perfectly proper. That is what he called for. Immediately after the private discussion, the results were announced. (By that time Mrs. Lathrop had left the building.)

Mrs. Lathrop said that Mr. Bierman did not answer either of her questions.

Council President Croddick repeated that the matter is up for discussion tonight. Mrs. Lathrop asked why she was given no notice. She said that a citizen does not have any rights in this township.

At this point Councilman Grossman asked to speak. He read the last paragraph of the resolution which says that a copy of it shall be forwarded to the appellant. You will be notified in writing of the action taken by Council on this matter.

Councilman Grossman then reaffirmed what he had said at the caucus meeting, namely, that he has always felt that Mrs. Lathrop had standing to bring this matter to the attention of Council. The Township Attorney, after reviewing the Notice of Appeal, gave Council strong legal advice that it was defective in such substantial points that, if Council accepted the appeal despite that advice, it would open itself to litigation which would wreak financial havoc for the township as a whole.

Mrs. Lathrop said she thought her notice of appeal was rather elaborate. Councilman Grossman suggested the discussion of her appeal should take place when the resolution is reached on the agenda. Mrs. Lathrop said notices/appeals are usually based on points of law, but matters of fact that come up in the hearing are used in the appeal itself. She concluded by stating the Council and Planning Board have ignored her.

Council President Croddick replied that this Council has tried hard to accommodate her. She was late for the Citizen's Voice, but was permitted to sign in and speak. The Council has bent over backwards to help her.

Councilman Klau introduced Resolution #245-78:

BE IT RESOLVED THAT:

1. Mc Connell Fuel Oil Co., Van Horne Street & C.R.R. of New Jersey, Jersey City, New Jersey, 07034, is the sole bidder covering the following work, labor and/or materials: #2 fuel oil.
2. That contract covering said material in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to McConnell Fuel Oil Co. on their bid of 48¢ per gallon for a quantity of 3,000 gallons.

BE IT FURTHER RESOLVED THAT:

1. Blue Ridge Oil and Chemical Corp. 163 Belmont Avenue, Garfield, New Jersey, 07026, is the sole bidder for item 10W-40 motor oil at a price of \$1.81 per gallon or \$99.55 per drum.
2. That contract covering said material in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to Blue Ridge Oil and Chemical Corp., on their bid of \$1.81 per gallon or \$99.55 per drum.
3. That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted by unanimous vote by the three Councilmen present.

The Council President called the Public Hearing on Ord. #20-78 asking if anyone wished to speak.

Stewart Hutt, Attorney for U.S. Home Corporation came forward. He pointed out that the Ordinance refers to a map dated July 13, 1978. Since the map was not published with the Ordinance and the Clerk tells him such a map is not available yet, he is confused.

Attorney Bierman stated that he advised the Planner of the change and thought that the revised map was sent to the Municipal Office. Without the map, the Ordinance must be tabled.

The motion to table was made by Councilman Klau and seconded by Councilman Grossman. Before the vote was taken, Council President Croddick asked what the procedure is now. Mr. Bierman said the Ordinance must be readvertised with the revised map and the public hearing and second reading will be held at the next meeting (September 14th). Mr. Croddick asked Mr. Bierman to get in touch with the Planner to instruct him to make the necessary change in the map, which is only the nomenclature of the R-10 district and some language, not any of the lines on the map.

The vote on the motion was called and the motion was passed by the unanimous vote of the three councilmen present (Grossman, Klau and Council Pres. Croddick).

The Mayor took this opportunity to air a problem the Township has been having with U.S. Home. They are guilty of sloppy workmanship and safety hazards. There is a lot of mud and dirt around Gordon's Corner Road. Our Engineer has inspected the area and I have seen it often. He said the developer is obligated to keep dirt off the road; to clean up. That has not been done. Sub-contractors use the road wherever they want for their supplies. A utility pole was left, after the road was widened. After dark, it was neither attended nor lighted. The Mayor said he had to call the Road Department to put up smudge pots two nights in a row. We bill you for this and you pay; but that is not the point. We should not have to do what you have left undone. The pole is now in the middle of Gordon's Corner Road, unattended but with home-made signs. Hopefully, no one will hit it. I feel that perhaps the solution is to bring U.S. Home and A.T. & T. to court.

Mr. Hutt said the removal of a utility pole is the responsibility of the utility company. He agrees with the Mayor on the potential danger. He then said he would like to comment on the Ordinance (#20-78).

Council President Croddick replied that the Ordinance had been tabled and that two councilmen were absent. He said this was just a change in nomenclature of the R-10 zone.

Mr. Hutt pointed out that he had risen from a sick bed in order to attend this meeting and he hoped to be given permission to speak further. He said there is a policy decision which Council must make with regard to Senior Citizen housing. Since they are the largest taxpayer in Marlboro, they feel entitled to say that a Senior Citizens Development would be very desirable for the community. The economics calls for single-family, detached houses like those in Brick Township. The Greenbrier houses are on lots of 50' x 100. Marlboro is requiring 75' fronts. He said 'U.S. Home could live with that because it would build larger, more expensive houses. They would prefer 60' fronts; but could live with 75'.

He said that U.S. Home does not build merely shelter; it builds a community. People buy their homes for a certain life-style. In order to create the kind of life-style people want, a developer must build the proper amenities. He must include a real recreation center; a real swimming facility. The market demands heavy amenities. In order to provide these, a developer must build a community of not fewer than 750 to 800 units. We believe this is the kind of community you should have in this town. It is a good ratable. Bricktown actually rezoned in order to get a Senior Citizens district. And this was after defeating such a zone twice. If you are not interested in allowing 750 to 800 units, we cannot force you to do it. The choice is yours.

Mr. Hutt recommended that Council appoint a committee, including a Planner, to sit down with U.S. Home. We will show you why you are better off with Senior Citizens housing such as Greenbrier. He thanked Mr. Croddick for allowing him to speak.

Council President Croddick then opened the public hearing on Ordinance #21-78, Longfellow Terrace Parking. Mr. Joseph Schoenholtz asked to speak. Since the purpose of the ordinance is to permit parking on the north side of the street, he would like the "No Parking" signs on that side to be removed.

Mr. Croddick said that that is exactly what we are doing. Since no one else asked to speak, the public hearing was closed.

Councilman Grossman introduced Resolution #248-78 (Ord. #21-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING
AN ORDINANCE ENTITLED "AN ORDINANCE CREATING
CERTAIN NO PARKING ZONES IN THE TOWNSHIP OF
MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Before there was a second to this, Councilman Grossman called the attention of the Township Attorney to Section 2. which states that the appropriate signing shall be erected. In this case the signs are to be removed, because parking is no longer restricted on the north side of the street. Mr. Bierman agreed that the word "erected" should be changed to "removed" and that the ordinance must be voted on with this change.

Councilman Klau seconded the Resolution which was adopted by the unanimous vote of the three councilmen present.

Council President Croddick opened the public hearing on Ordinance #22-78, Zoning and Planning Board Alternates.

Mrs. Alyce Lathrop asked whether this ordinance is in answer to her question about the make-up of the Planning Board. Mr. Croddick said that the State passed a law permitting the appointment of alternate members to both boards. Mrs. Lathrop said that did not answer her question. Councilman Grossman said "no" which did answer her.

Councilman Grossman said that Marlboro is adding two alternates to the Planning Board and two to the Zoning Board. Council has ratified two individuals to sit as Zoning Board alternates. Paragraph A. 4. is being added to the basic ordinance of a year ago (Ord. #2-77). The Councilman also explained the significance of reserve sections of ordinances for future use.

Mr. Bierman offered the information that the various classes of Planning Board membership were established by State statute. Class I is the Mayor himself; Class II is another official of the township; Class III is a member of the Council; and Class IV are members of the community.

The public hearing was closed and Councilman Klau introduced Resolution #249-78 (Ord. #22-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING
ORDINANCE NO. 2-77 ENTITLED "AN ORDINANCE
OF THE TOWNSHIP OF MARLBORO ESTABLISHING
A PLANNING BOARD AND ZONING BOARD OF
ADJUSTMENT PURSUANT TO THE PROVISIONS OF
CHAPTER 291 OF THE LAWS OF NEW JERSEY
1975; PROVIDING FOR THE POWERS OF SAID
BOARD; FIXING THE PROCEDURES GOVERNING
APPLICATIONS TO SAID BOARDS AND APPEALS
THEREFROM"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Councilman Grossman introduced Resolution #250-78:

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, The Annual Report of Audit for the year 1977 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum the sections of the annual audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS

RECOMMENDATIONS

as evidenced by the group affidavit form of the governing body, and

WHEREAS, such Resolution of Certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-25: "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both; in addition he shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Marlboro, hereby states that it has complied with the promul gation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance,

It was seconded by Councilman Klau and adopted by unanimous vote of the three councilmen present.

Before the roll was called for the vote, Councilman Grossman said he had read the audit and that it is good. It gives us some minor points to help us become more efficient.

Councilman Klau introduced Resolution #251-78:

WHEREAS, a traffic condition exists at the intersection of Route 18 Freeway Ramp to Route 520 and Tennent Road, in the Township of Marlboro, in the County of Monmouth, which requires the installation and operation of a fully actuated traffic signal in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install signal lights at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of agreement pertaining to the installation and for the payment of electrical charges and maintenance of said traffic signal;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the said TOWNSHIP OF MARLBORO are authorized to enter into said agreement according to the terms of same and which agreement is hereto attached and made a part of this resolution.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Councilman Grossman introduced Resolution #252-78 (Ord. #23-78):
First Reading

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

"AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "ORDINANCE NO. 13-78: AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF LAND: PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATION IN THE TOWNSHIP OF MARLBORO."

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on September 14, 1978 at 8.00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

Councilman Grossman spoke of the importance of this amendment to the Zoning Ordinance in assisting homeowners whose houses are made uninhabitable by fire, flood or natural disaster. They are permitted to place a mobile home-trailer on their property in which to live (for a period of no more than 12 months) while the house is being rebuilt.

The Resolution was seconded by Councilman Klau and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #253-78:

WHEREAS, the Department of the Treasury of the State of New Jersey has remitted to the Township of Marlboro the homestead tax rebate payment to be applied to taxpayers who are delinquent with respect to their 1977 property taxes, and

WHEREAS, the taxpayers who are listed on the attached Schedule "A" have paid their 1977 taxes in full,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Tax Collector be and is hereby directed to refund the amount of \$2,862.49 as per Schedule "A". Schedule "A" is attached hereto and made a part hereof.

It was seconded by Councilman Klau and adopted by unanimous vote of the three councilmen present.

Councilman Klau introduced Resolution #254-78:

BE IT RESOLVED, by the Council of the Township of Marlboro that the Mayor's nomination of Richard Cardillo for the position of Business Administrator of the Township of Marlboro is hereby approved by the advice and consent of the Township Council.

It was seconded by Council President Croddick.

At this point in the meeting, Mayor Goldzweig, who had absented himself from the room, returned for the purpose of introducing to the members of the Council, his nomination for Business Administrator of Marlboro Township, Richard Marcel Cardillo. He said he was proud that so many candidates responded to our various ads; that we interviewed many applicants after having received resumes from nearly 100 applicants. After his second interview with Richard Cardillo, the Mayor said it was his privilege to select him for the position, and to ask Council for its advice and consent. The Mayor briefly sketched his resume, a copy of which is attached and made a part hereof.

SCHEDULE "A"

<u>Block</u>	<u>Lot</u>	<u>Assessed Owner</u>	<u>Homestead Rebate</u>
70	45	Belowsky, F.	\$ 190.38
26-C	1	Costura, M.	190.38
34	2	Eckel, A.	190.38
62	46	Eckel, F.	190.38
58-DD	4	Feinman, H.	190.38
44	5	Grubb, Jr., W.	190.38
21	23	Hall, Herbert J.	40.09
9	21	Kozub, Robert	190.38
12	24	Mackey, Clinton	119.20
25	10	McCarron, John	178.26
97	10	Murphy, Ronald	190.38
26-A	1	Ratcliffe, Frank	190.38
53-A	17	Smith, Edward W.	190.38
35	1	VanPelt, Richard	190.38
26-L	3	Webster, Larry	190.38
56	17-A	Wendel, George A.	<u>240.38</u>
			\$2,862.49

Councilman Klau stated that he was pleased and proud that at long last Marlboro was to have a professional Business Administrator. He had been urging the hiring of a professional for the seven years he has been on council.

The roll was called indicating adoption of the Resolution by unanimous vote of the three councilmen present.

As his first official duty, he was asked by Mr. Croddick to tabulate the bids received earlier.

Council President Croddick introduced Resolution #256-78:

RESOLUTION APPROVING CHANGE ORDER

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered in the above named Contract: Police Headquarters and Municipal Complex for the Township of Marlboro Plumbing Contract - M & R Mechanical Contractors Inc.; and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14-5:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.

2. That the price for said work shall not exceed the sum of \$3,192.00

3. That all of the terms and conditions of the original contract between the Township of Marlboro and M & R Mechanical Contractors, Inc. shall remain in full force and effect. That upon acceptance by M & R Mechanical Contractors Inc., this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to M & R Mechanical Contractors, Inc. with instructions to execute same and return to the Township Attorney's office forthwith.

It was seconded by Councilman Grossman.

The Council President explained to those present that this would permit the installation of rough plumbing in the basement of the municipal complex so that bathrooms and showers could be installed later. Such installation will be much easier if the basic plumbing is put in now.

The roll was called and the Resolution was adopted by unanimous vote of the three councilmen present.

Councilman Grossman introduced Resolution #257-78:

RESOLUTION AUTHORIZING BUSINESS ADMINISTRATOR TO
ADVERTISE FOR BIDS

BE IT RESOLVED that the Township Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for the following said work, labor and/or materials as required by law:

Marlboro Village Sewer Project

Morganville Water Extension Project

funded by Community Development Act Funds.

It was seconded by Councilman Klau and adopted by the unanimous vote of the three councilmen present.

Councilman Klau introduced Resolution #258-78:

BE IT RESOLVED THAT:

1. A.S. Gilbert, Inc., be and they are determined to be the highest bidder for the sale of excess municipal equipment; and
2. That the said equipment is hereby sold to A.S. Gilbert, Inc., on their high bid of \$5,500.00, said equipment to be delivered at the municipal garage.
3. That the proper township officials be and they are authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Councilman Klau introduced Resolution #259-78:

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

1. Special Committee is hereby created to function as liason between the Township Council and the Board of Education of the Township of Marlboro.

2. The Council President hereby designates Councilman

Howard Klau as the Special Committee to act as aforesaid.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Councilman Grossman introduced Resolution #260-78:

WHEREAS, the State of New Jersey has recently enacted certain changes in the New Jersey Unemployment Compensation Law; and

WHEREAS, the law permits an election as to method of payment by the Township into the Plan; and

WHEREAS, the Department of Finance of the Township has investigated the options available and has recommended a plan, and

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township of Marlboro hereby elects to finance unemployment benefit course under the Contributory Plan.

2. That a copy of this Resolution shall be forwarded to the Division of Unemployment and Disability Insurance and the Department of Labor and Industry forthwith.

It was seconded by Councilman Klau and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #261-78 (Ord. #14-74).

BE IT RESOLVED by the Council of the Township of Marlboro that an ordinance entitled.

"AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "ORDINANCE NO. 14-74 AN ORDINANCE RELATING TO THE ORGANIZATION AND ADMINISTRATION OF THE GOVERNMENT OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH PURSUANT TO THE MAYOR-COUNCIL PLAN E OF THE OPTIONAL MUNICIPAL CHARTER LAW (N.J.S.A. 40:69-68 through 73) TO THE EXTENT NOT OTHERWISE PROVIDED BY THE SAID OPTIONAL MUNICIPAL CHARTER LAW BY THE STATUTES OF THE STATE OF NEW JERSEY AND BY THE ORDINANCES OF THE TOWNSHIP OF MARLBORO."

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

BE IT FURTHER RESOLVED, that the same be considered for final passage on September 14, 1978 at 8:00 P.M. at the Marlboro Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

The Council President announced that he would like to table the next resolution on the agenda, Resolution #262-78, concerning the notice of appeal by The Pleasant Valley Preservation Society. He said he would like to get an opinion from the Attorney General of the State of New Jersey on this matter. He asked what the other councilmen thought of the idea. Councilman Grossman said there was a question of procedure. He felt the Township Attorney should be questioned. Mr. Bierman was not in the room at the time and someone was sent to request him to return to the Council table.

At 9:17 P.M. Mr. Bierman returned and Council President Croddick repeated his suggestion that the Resolution acting on the Pleasant Valley notice of appeal be tabled and an opinion be sought from the State Attorney General. Mr. Bierman said he would be very surprised if the Attorney General would give any opinion on a matter of this nature. His department is reluctant to give opinions on matters of this kind which involve private citizens. He knows of no State Agency that would be prepared to give an opinion in a case like this.

Councilman Grossman said that it is unfortunate that two members of council are absent. He does not want to speak for them. He thinks he is the only one who believes that Mrs. Lathrop has standing. We could talk at length about potential damage to the cited properties in Marlboro or Holmdel. Whether or not Mrs. Lathrop has standing to appeal this matter, there is this vital question: What is Council leaving open for litigation and possible loss of money if the appeal is defective and allowed to run its course and Doree Construction wins on that point? Doree can then sue the township for damages suffered because of delay. The delay in building costs money. Relying on the opinion of our Township Attorney (that the appeal is defective), any such delay would be the responsibility of the Council. The Councilman said he is not prepared to jeopardize the township's legal standing and its liability.

Mr. Bierman said it is his opinion that there is a potential, substantial damage claim that can arise out of action of this kind. The resolution under discussion says that Council agrees with Doree Construction Company.

Councilman Grossman stated that he wanted to clarify his point: "If we do not take any action on this, the normal appeal process will be allowed to run." He reminded council that The Pleasant Valley Preservation Society has a right of appeal to the Superior Court.

Attorney Bierman said council must either accept Mrs. Lathrop's appeal or accept Doree's point of view on the subject.

C Councilman Grossman said this is important because it is the first case under our new Ordinance #14-78. We do have an appeal process on the books. But the appeal must be within proper legal procedures. If a party has proper standing and is serious about the matter, and files a legally correct notice of appeal, then the appeal must run its course. The Councilman moved for the dismissal of this particular appeal by asking for a vote on Resolution #262-78.

Councilman Klau introduced Resolution #262-78:

WHEREAS, Doree Construction Company has heretofore received Final Approval for a subdivision known as Reids Hill Estates, Section 2, from the Planning Board of the Township of Marlboro; and

WHEREAS, on July 27, 1978, the Pleasant Valley Preservation Society filed a Notice of Appeal pursuant to Ordinance No. 14-78, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Doree Construction Co., moved before the Township Council to strike the Appeal for failure to comply with the requirements of Ordinance No. 14-78, in that the Appellant failed in said Notice of Appeal to specify the grounds thereof;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

- C
1. That the Appellant, Pleasant Valley Preservation Society has failed to perfect the Appeal filed in the matter of Reids Hill Estates Section 2, within the time provided in Section 420 H (1)
 2. That the above mentioned Appeal is hereby dismissed.
 3. That a copy of this Resolution shall be forwarded to the Appellant, Pleasant Valley Preservation Society and the applicant Doree Construction Co., forthwith.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Councilman Grossman introduced Resolution #264-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials, as required by law:

Large Standing Games
as per attached schedule which is made a part hereof.

C

NOTICE TO BIDDERS

Large Games

Bid Specifications: All Prices F.O.B. Marlboro Township

I. Pocket Billiard (Pool) Tables:

- (a) Brunswick Bristol (TM) Model
 - 3 piece matched and registered 3/4" full size slate with "Centennial" cushions; wool/nylon cloth
 - 8 foot model \$ _____
 - 7 foot model \$ _____
 - 6 foot model (one piece slate) \$ _____

If equivalent model is bid include all specification and brochure information.

- (b) Brunswick Covington (TM) Model
 - 3 piece matched and registered 3/4" full sized slate with "Centennial" cushions; wool/nylon cloth
 - \$ _____

If equivalent model is bidded include all specifications and brochure information.

II. Bumper Pool Table:

Brunswick Celebrity (TM) complete with playing accessories 30" X 46" playing area; wool/nylon cloth; "Centennial" cushions; rigid bed construction. \$ _____

If equivalent model is bidded include all specifications and brochure information.

III. Table Shuffleboard:

Brunswick (R) Shuffleboard 14" X 100" durable super-slick playing surface; complete with accessories. \$ _____

If equivalent is bidded include all specifications and brochure information.

IV. Air Hockey:

Brunswick Air-Hockey (R) Game
Heavy duty balanced bed construction with two hi-profile goalies and two pucks.

- 5 foot model \$ _____
- 6 foot model (with built in score counter) \$ _____
- 7 foot model (with built in score counter) \$ _____

If equivalent is bidded include all specifications and brochure information.

V.

Air-Handball

Brunswick Air-Handball (R) game with built in score counters, super-slick "Speedmaster" bed and heavy-duty U.L. approved blower motor, complete with two high profile goalies and two pucks.

If equivalent is bid include all specifications and brochure information.

VI. Pool Accessories

- (a) Set of 16 pool balls (numbered 1-15 and cue ball)
- (b) Set of bumper pool balls (red and white)
- (c) Pool chalk
- (d) Replacement pool cue tips
- (e) Single piece pool cues
 - 1. bumper pool cue (short)
 - 2. billiard pool cue (long)

It was seconded by Councilman Klau and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #265-78:

BE IT AND IT IS HEREBY RESOLVED that plans and/or materials heretofore prepared for on behalf of the Township Council are hereby approved and ordered filed with the Business Administrator.

ROAD DEPARTMENT EQUIPMENT

1. 4 Snow Plows
2. 1 Front End Loader
3. 2 Sand Spreaders
4. 1 Tractor and mower
5. 3 Dump Trucks

BE IT FURTHER RESOLVED that the Township Business Administrator be and that he is hereby authorized and directed to advertise for open, competitive bids for said work, labor and/or materials as required by law.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Councilman Grossman introduced Resolution #266-78 (General Bill Paying); a copy of which is attached hereto and made a part hereof. It was seconded by Council President Croddick and adopted by unanimous vote of the three councilmen present. Before the vote, a Board of Education voucher for \$186 and change was removed and the amount subtracted from the total.

Council President Croddick introduced Resolution #267-78 (Swim Club Bill-Paying), a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #268-78 (Municipal Complex Bill-Paying), a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #246-78, the text of which is as follows:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings be approved as corrected:

January 2, 1978
January 12, 1978
January 26, 1978
February 9, 1978
February 23, 1978

RESOLUTION # 266-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
P.E.R.S.	Employees Deduct.	3,601.69	17622
P.E.R.S.	Group Ins. Prem. Fund	326.65	17623
Day Lines, Inc.	Senior Citizens	257.00	17708
Jersey Shore Pop Warner	Pop Warner	1,030.00	17709
Twsp of Marlboro	Net Payroll	36,186.00	17624
C.J.B.T.Co.	Net Payroll Taxes	6,993.49	17625
N.J. Empl. H.B. Fund	Insurance	2,186.12	17710
N.J. Dependents H.B. Fund	Insurance	2,333.99	17711
Mrs. D. Schumancher	Fees & Permits Recreation	45.00	17712
Tram	Refund of Prior Years Rev.	112.00	17713
Wickatunk Postmaster	Admin. & Exec.	500.00	17714
Marlboro Twsp. Gen. Acct.	F.S.B. Cash Transfer	250,000.00	17715
Veronica Byrne	Fees & Permits Soccer	5.00	17716
Estelle Lux	" " " Camp	45.00	17717

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marl.Twsp. Unempl. Ins. Fund	Unempl. Tax	1,813.36	17718
Twsp. of Marl. Net Payroll	Net Pay Exchange	50,664.58	17719
C.J.B.T.Co.	Employees Pay Deduc.	7,034.12	17720
James M. Valeno, Constable	Emp. Pay Ded.	129.39	17721
Franklin State Bank	Debt. Service	50,514.75	17722
Public Assistance	Public Assistance	1,187.83	594-603
N.J. State Dept. of Health	Dog License	10.50	1537
Aqua Clear Pools	Building Trust Fund	250.00	78
Robert Davis	" " "	200.00	79
Aqua Clear Pools	" " "	300.00	80
P.S. Mason Contractors	" " "	340.00	81
Clayton Statesir Woodworking	" " "	150.00	82
Rappa Bros.	" " "	75.00	83
	Total;	416,291.47	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
County of Monmouth	1978 County Taxes	399,467.27	
County of Monmouth	" " Library Tax	13,883.78	
County of Monmouth	County Health Dept.	8,484.97	
Marl. Bd. of Ed.	Local School Dist. Tax	332,812.00	
Bd. of Ed. F.R.H.S.	Dist. Taxes	103,164.40	
West Publishing Co.	Admin.	185.00	
Sheraton-Deauville Hotel	"	400.00	
Middlesex County Publishing Co.	"	86.10	
The New York Times	"	103.00	
The News Tribune	"	5.44	
N.J. State League of Munc.	"	64.00	
Global Fence Co.	"	29.50	
Bldg. Offic. & Code Admin. Inter.	"	48.00	
Bayshore Independent Inc.	"	1,086.20	
Div. of Alcoholic Beverage Control	"	28.00	
The Daily Register	"	169.17	
Automation Papers Co.	"	334.23	
A. & P.	"	84.98	
I.B.M. Corp.	Admin. 1977 - 33.70		
	Admin. <u>1,398.11</u>	1,431.81	
General Office Supply Co.	Admin. 244.26		
	High. Safety <u>260.45</u>	504.71	
Joseph Mazzeo	Admin. 95.00		
	Police <u>113.75</u>	208.75	
Bayshore Stationers	Admin. 38.80		
	Sts. & Rds. 19.28		
	Grds. Maint. <u>5.28</u>	63.36	
Asbury Park Press Inc.	Admin. 1,160.86		
	Pl. Bd. 6.00		
	Rec. <u>12.24</u>	1,179.10	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Bureau of Gov. Research	Finance	7.00	
S T C Computer Services	Tax Collector	861.84	
Mat-Key Press Inc.	Inspections	112.40	
Marlboro High School Blue & Gold	Drug Abuse Control 1977	25.00	
Colonial News	Drug Abuse Control	22.68	
	Recreation	<u>12.00</u>	34.68
Assoc. Humane Societies	Dog Regulations	453.00	
Jacob Emmanuel Inc.	Insurance	269.00	
Con-Fran Square Inc.	Pub. Bldg. & Grds.	3,375.00	
New Jersey Office Supply Co.	Municipal Court	45.84	
Munc. Court Clerks Assn. of Monmouth County	" " "	25.00	
Bayshore Bandag Tire	Equip Maint.	356.74	
B.&. B Auto Radiator & Glass	" "	46.00	
The Cumming Co. Inc.	" "	54.17	
Franklin's Garage	" "	35.00	
A.S. Gilbert, Inc.	" "	172.26	
Industrial Welding Supply Inc.	" "	23.16	
Mon. Imported Auto Parts Inc.	" "	26.65	
Matty's Auto Parts Inc.	" "	765.43	
Tom's Ford Inc.	" "	21.99	
Tri-County Dist.	Equip. Maint.	60.00	
	Grds. Maint.	60.00	
	B.O. 11-78	<u>60.00</u>	180.00
Shore Tractor Co.	Equip. Maint.	498.29	
	Grds. Maint.	<u>171.10</u>	669.39

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Sprague's Oil Service Inc.	Equip Maint.	4,098.36	
	Utilities	<u>252.10</u>	4,350.46
Top Hat Uniform Rental	Sts. & Rds.		419.25
B.&. I. Locksmith	" "		2.55
Battleground Maint. Supply Co.	Sts. & Rds.	41.50	
	Library	<u>19.35</u>	60.85
Lyncar Corp.	Sts. & Rds.	540.59	
	B.O. 11-78	<u>153.14</u>	693.73
L.D. Seely Co.	Sts. & Rds.	24.10	
	Highway Saf.	<u>990.60</u>	1,014.70
Anchor Lawn & Gdn. Eq.	Grds. Maint.		24.95
Cramar Electric Co.	" "		40.00
Walter Heath Co. Inc.	" "		81.72
Mon. County Garden Center	" "		518.16
W, H Potter & Son, Inc.	" "		6.00
Millhurst Mills, Inc.	Grds. Maint.	71.29	
	B.O. 18-75	<u>16.70</u>	87.99
Base Auto Supply	Police		96.00
Bond Stores	" "		1,200.00
Coda Color Labs Inc.	" "		4.61
Marlboro Dry Cleaners Inc.	" "		297.50
Concord Business Agency Inc.	" "		10.00
Northern Mon.,. County Mun. Police Pact.	" "		300.00
Scrub -A- Dub of Cambridge	" "		30.00
V.E. Ralph & Son, Inc.	" "		48.40
Ptl. G. Trampler	" "		90.00

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Willow Branch Industries Inc.	Police 452.00 High. Safe. <u>1,029.90</u> 1,481.90	1,481.90	
Jo-Bee Auto Reconditioning	Highway Safety	79.95	
Camera Showplace	" " "	12.23	
Marlboro Twsp. Mun. Util. Auth.	Utilities	72.00	
Kepwel Spring Water Co. Inc.	" "	102.00	
N.J. Bell Telephone	" "	2,208.64	
J.C.P.L.Co.	Utilities 1,702.67 St. Light. <u>6,786.95</u>	8,489.62	
N.J. Natural Gas Co.	Utilities	6.00	
American Hotel	Senior Citizens	307.62	
R. Helfrich & Son Inc.	" " " "	275.00	
Efinger Sporting Goods	Recreation	801.75	
Hillpot Farm Stores Inc.	" "	10.38	
Marl. Twsp. Bd. of Ed.	Recreation 1977	186.18	
MASCO Sports VI	Recreation	432.00	
A R Meeker Co.	" "	66.47	
Plaza Arena	" "	110.00	
Perrys II Trophy Co.	" "	2,100.30	
The Rec Room	" "	720.00	
Sloan Products Co. Inc.	" "	160.07	
Woodcrest Arcadia Co.	" "	1,799.53	
Con-Lux Coatings, Inc.	B.O. 3-74	84.75	
Bernard Preis	B.O. 3-74	6,655.00	
Hargill Supply Co.	B.O. 11-78	96.88	
Manzo Contracting Co. Inc.	" " "	626.50	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Joseph La Mura	Tax Assessor	100.80	
Marjorie E. Currey	Administration	5.70	

Total: 907,751.46

- 126.12

OFFERED BY: Croddick

AYES: 3

Absent from Meeting: 2

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

8/4/78

Date

Sheila Fikkin

Treasurer

August 10, 1978

RESOLUTION # 267-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Aqua-Trol Engineering	Swim Pool	135.00	
J.C.P.L.Co.	" "	776.36	
Wn-A-Mat	" "	190.00	
Marlectric Inc.	Swim Pool 1977	30.00	
Moonachie Co.	Swim Pool	251.07	
N.J. Bell	" "	15.65	
Swan Pump & Supply Co.	" "	18.27	
Westron Corp.	" "	70.88	
Taylor Made Products Inc.	Swim Pool = Capital	34.20	
Middletown Swim & Tennis Club	" " "	1,433.90	
Cramar Electric Co. Inc.	" " "	100.00	
Marlboro Flower & Garden Center	" " "	1,850.00	
	TOTAL:	4,905.33	

OFFERED BY: Croddick

AYES: 3

Absent from Meeting: 2

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

8/4/78

Date

Sheila Fiskin

Treasurer

OFFERED BY: Grossman

AYES: 3

Absent from Meeting: 2

SECONDED BY: Croddick

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

8/4

Date

Sheila Fiskin

Treasurer

The Council President decided that a separate vote should be taken on each set of minutes:

Councilman Grossman seconded the approval (as corrected) of the minutes of the meeting of January 2, 1978. The vote to accept the minutes (as corrected) was unanimous.

Councilman Klau seconded the approval (as corrected) of the minutes of the meeting of January 12, 1978. The vote to accept the minutes (as corrected) was unanimous.

Councilman Klau seconded the approval (as corrected) of the minutes of the meeting of January 26, 1978. The vote to accept the minutes (as corrected) was unanimous.

Councilman Klau seconded the approval (as corrected) of the minutes of the meeting of February 9, 1978. The vote to accept the minutes (as corrected) was unanimous.

Councilman Grossman seconded the approval (as corrected) of the minutes of the meeting of February 23, 1978. The vote to accept the minutes (as corrected) was unanimous.

The Council President asked the new Business Administrator to report on the bids received earlier in the meeting. He said four bids were received for bituminous asphalt paving, the lowest of which was from Manzo for \$14.25 per ton. The other bidders were Lyncar, Mc Dowell and Stavola.

The only company to submit a bid for the curbing machine was L.D. Seeley Company. The bid should be awarded to them for their price of \$3,630.00. The machine meets the specifications of the Township Engineer.

Mr. Bierman prepared resolutions on awarding these bids.

Council President Croddick introduced Resolution #269-79:

BE IT RESOLVED THAT:

1. MANZO CONTRACTING CO.

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

4,000 Tons Bituminous Asphalt Paving Material

2. That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to:

MANZO CONTRACTING CO.

on their low bid of \$14.25 Ton

3. That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #270-78:

BE IT RESOLVED that:

1. L.D. Seely Co.

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Curbing Machine

2. That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Business Administrator be and the same is hereby awarded to:

L.D. Seely Co.

on their low bid of \$3,630.00

3. That the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted by unanimous vote of the three councilmen present.

Council President Croddick introduced Resolution #271-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Engineer be and he is hereby authorized and directed to advertise for open, competitive bids, as required by law, for the following work, labor and/or materials:

Nolan Road Park

Marlin Estates Park

It was seconded by Councilman Klau and adopted by unanimous vote of the three councilmen present.

The preparation of this final resolution on the agenda by Mr. Bierman was preceded by a question posed by Councilman Klau. He recalled that the township had received certain grants with dates of termination, meaning that if we did not start the work on Lloyd and Nolan Park by a certain date, we would lose the grant. The Councilman asked the status of this park and another.

Mayor Goldzweig replied that everything was under control. Township Engineer, Pieter Van Aartrijk, upon being queried, said all the papers have been signed. Two sets of drawings were required and these have been sent in. That was a week ago last Monday. He said that as soon as the State approves the plans we must go for bids again. The Engineer said the parks should be finished before the winter.

Mr. Bierman said we could authorize the Business Administrator to advertise for bids now. Although Mayor Goldzweig said he was disappointed to learn we had to go for bids again, Mr. Bierman said we should, since there were some changes in the plans. Mr. Van Aartrijk would like council to authorize advertising for bids tonight, if possible. Mr. Bierman told Councilman Klau that the township is well within the time-period on these parks. We have filed everything asked for.

Councilman Klau then addressed certain suggestions to the Business Administrator: He is interested in a full maintenance program for the parks and grounds; repairs which will arrest certain deteriorating conditions. Such maintenance is needed for the ball fields, the Swim Club and the parks.

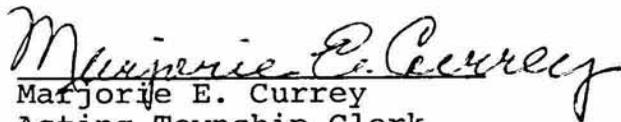
Since this ended the legislative portion of the meeting, Mayor Goldzweig said he wished to take the opportunity of announcing a promotion he had just made: it was the promotion of Edward F. Chevan to Deputy Chief of the Marlboro Township Police Department.

Councilman Klau said he had heard there was a problem obtaining the soccer shirts and he wondered whether it was being solved. Mr. Bierman said he had been advised that Recreation had worked out the difficulty with the vendor. Apparently the vendor can obtain the twelve colors on which he submitted a bid and the teams will be supplied with the necessary shirts.

Council President Croddick then opened the Public Session. Mr. Barry Johnston, Engineer of U.S. Home Corporation, said he would like to speak. He asked Council why their performance bond was reduced only to \$75,000.00 instead of being released entirely. He wondered where we had obtained that figure. The Council President and the Mayor both said that this figure was the result of an inspection made by Township Engineer, Pieter Van Aartrijk. Mr. Johnston asked for a copy of this report. After the meeting was adjourned, Mr. Van Aartrijk gave Mr. Johnston a copy of the report.

The meeting was adjourned at 9:55 P.M.

Minutes approved: September 14, 1978


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

AFFIDAVIT OF PUBLICATION

Printers Fee, \$ 4.20

State of New Jersey, }
Monmouth County. } ss:

Catherine C. Woods

of Legal Department

of THE DAILY REGISTER, a newspaper
printed and published at Shrewsbury, in said
County and State, who being duly sworn, de-
poseth and saith that the advertisement, of
which the annexed is a true copy, has been
published in the said newspaper one
times successively, once in each week, com-
mencing on the 28th day of September

A.D. 19 78 and continuing in the issues of

"Pursuant to the provisions of the
Open Public Meetings Act, notice is
hereby given by the Township Council
of the Township of Marlboro that the
caucus scheduled for October 9, 1978, is
postponed to October 16, 1978; and the
regular meeting scheduled for October
12, 1978, is postponed to October 19,
1978. The meetings convene at 8 P.M. at
the Municipal Offices, Route 79 and
Tennent Road, Marlboro, N.J.

Marjorie E. Currey
Acting Township Clerk
Sept. 28 \$4.20

[Signature]
Sworn and subscribed to before me this 28th

day of September

A.D. 19 78

[Signature]

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 7, 1981

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

SEPTEMBER 14, 1978

The meeting was called to order by the Council President at 8 P.M. After the salute to the flag, the Clerk called the roll which was answered as follows: Councilmen Grossman, Klau, Vuola and Council President Croddick, "here". Councilman McClung arrived at 8:26 P.M.

Also present were Mayor Goldzweig, Attorney, Herbert B. Bierman and Business Administrator, Richard Cardillo.

The Council President read the following Announcement of Meeting:

Pursuant to the requirements of the Open Public Meetings Act, notice is hereby given of a Regular Meeting of the Council of the Township of Marlboro at 8 P.M. on Thursday, September 14, 1978, at the Marlboro Township Municipal Offices, Route 79 and Tennent Road.

Bids were received for \$250,000 of equipment and supplies in the following categories: Road Department equipment, Large Standing Games and Lloyd and Nolan Parks. It was moved by Councilman Vuola and seconded by Councilman Grossman that the bids be turned over to the Business Administrator for tabulation. The motion was passed unanimously (by the four councilmen present) on the roll call vote.

ADMINISTRATIVE REPORT

Mayor Goldzweig said that at the next meeting he would have for Council a complete report on the status of Road Department projects and suggestions as to where we plan to go.

He reported some good news on the subject of the Rahway State Prison Farm: the battle to protect our citizens has been won. The Department of Institutions and Agencies announced that persons convicted of murder will no longer be housed here. They are planning to move 28 or so convicted murderers, and the Mayor is pleased.

The Central Jersey Transportation Board, chaired by Martin Spector, has turned to the township for processing one thousand postcards to the Interstate Commerce Commission protesting an increase in bus fares. The Mayor is preparing a letter to this agency from his own firm not only protesting the proposed increase but also demanding a fare decrease, this being justified because of the poor service provided. Mayor Goldzweig said he thinks this campaign will be successful. This long letter will describe the conditions on the busses: lack of heat, air-conditioning, lighting, broken springs in the seats. The Mayor urged members of the public to write similar protests to the ICC.

His next subject was the increase in the water rates of the Central Jersey Water Company. He sent Business Administrator, Richard Cardillo, to the meeting of the Board of Public Utilities. The Business Administrator brought back copies of a stipulation and

decision. The Mayor will read these and report to Council. The Business Administrator told the Mayor that no one from the public was present, although the Public Advocate was there. Stewart Hutt was present from U.S. Home Corp., as was Barry Johnston, their engineer. This water company is wholly owned by U.S. Home which, the Mayor believes, owes something to Marlboro and ought not to be getting such increases, which are 90% over former rates.

The report of the outside educational consultant on the matter of Marlboro's withdrawal from the Regional High School District was the Mayor's next item of business. He said the Municipal governing body can help to bring about a determination which will accomplish the withdrawal. It looks as though we have to get permission for a referendum. It was mentioned by several at the council table that whoever requests a referendum must pay for it. We have only one copy of this report, but the Business Administrator can have copies made. Mr. Klau can get one so he can take it up with the School Board.

Councilman Klau asked for copies for all councilmen.

Citizen's Voice

Mrs. Mary McFadden reviewed the condition of the Route 18 property which adjoins the property in back of her house. She has previously complained to Council about the fact that this strip of State property has not been mowed or cleaned up since the growing season began. She is once again asking the Council for help. She said she called the State Department of Transportation with completely unsatisfactory results. She was told once again that this uncut condition of the State property is part of "Operation Wild Flower." She now asks Council to take over the maintenance of that property which is making her property a less desirable place to live.

The Council President acknowledged that this is a difficult problem. He said the township cannot maintain the approximately ten miles of State property along Route 18 which back up to many other privately owned parcels.

Mayor Goldzweig enumerated the various township officials and staff who have inspected the properties owned by Mrs. McFadden and the State: he, himself, Chief Walker, Councilmen Vuola and Grossman, Richard Cardillo, Ed Smith of the Road Department, Joan Czech. He said it is impossible to mow on State property. The Mayor does not think the State would give the township permission to maintain the property. Mrs. McFadden wants the township to cut a 700 foot long strip. She said she is being subjected to adverse conditions which the township does not permit.

Mayor Goldzweig explained the power of the State. He said it can do what it wants. You can only hope a judge will compell the State to take a certain action. But Mrs. McFadden said she does not understand why Marlboro cannot approach the State on this matter. The Mayor said the township had approached the State, but that he would be happy to do so again.

The Council President said the township does not have money or manpower to maintain this property on a permanent basis. Mrs. Mc Fadden wants the township to take over the single strip of State property, 600 to 700 feet in length, so she will be free of infestation by rats.

The Mayor said he would try to get some responsible person in the Department to do something to help us. This agency is perhaps the most uncooperative of all State agencies. But the Mayor said he would try to get them to come down to meet with him and Mrs. McFadden at her home.

Council President Croddick said she could sue the State. He said he wished there were another solution. Mrs. McFadden said the property was well maintained when she bought her house. She asked for copies of any correspondence on this subject from this point on.

Councilman Klau suggests that the Township Attorney send a legal letter to the State regarding the health hazard created by this untended property, and stating that this health problem supersedes any operation wild flower. He said we can threaten to take the State to court if they refuse to act.

Attorney Bierman asked Mrs. McFadden for a summary of the matter thus far; and Mayor Goldzweig said he would turn over his file.

The next speaker was Mr. Robert Cottone of 36 Regina Road who said he was taking time from his business to come here to report what he believes to be a cancer growing in the Swim Club. He feels he has been insulted, harrassed, and denied justice. The Club held a meeting deciding his reputation without him. After the fact, he was told it was decided to hold the meeting without him. He believes the Club is being run by three, four or five people who are running it for their own pleasure and glory; just as though it were in someone's backyard. He said that is his statement in full.

Mr. Bierman advised the Council not to comment on this matter, since the township has received a letter from an attorney about litigation.

Charles Smith asked when some of the clean-up work would be done in the Texas - Greenwood Road area. He would like to get rid of some old shacks and trailers; and he wants the proposed Senior Citizens' center. Councilman Vuola explained the Community Development Act Funds including the \$75,000 appropriated for the Senior Citizens' project. He also described the entire Recreation project which he had presented at the caucus of the previous Monday. There is some uncertainty as to the location, the former property of the Woodbridge State School now thought to be the place for it. Councilman Vuola said no matter where the final location, the Senior Citizens' center would be built next year.

Mr. Smith said people phone him every day about this. They want the center on Texas Road where the old apartments were. Councilman Vuola said it is immaterial to him where it is built and the Council President concurred.

The Councilman said there is a lot of junk in the area which the town has tried to remove; but people claim they own the shack or trailer or are using whatever it may be. Mr. Smith said there was a lot of junk nobody was using.

Councilman Vuola said the CDA funds are providing \$25,000 for water and sewer. By February or March next year we will know whether we actually get it. It will pay for the hook-up only, not the sewer bills.

Martin Spector, who had arrived too late for the Citizen's Voice asked to speak. He thanked Council for its resolution protesting the increase in bus fares of Lincoln Transport Company and Transport of New Jersey. He said many towns affected are passing similar resolutions.

The Citizen's Voice was closed at 8:45 P.M.

The Council President opened the public hearing on Ordinance #20-78. He recognized Dr. Ivan Portnoy who asked to speak. Dr. Portnoy said he thinks the text requires three changes. 1. The hundred acre minimum for Senior Citizen developments is not there. He could not find it in the original zoning ordinance either. After looking at the reprint of Ordinance #20-78, which Council was studying at the same time, he said he thought this minimum could be inserted as Section 506.15.1. (2.) The actual provision for the recreational facilities in the Senior Citizen's development, such as club house, pool, etc. He asked whether this can be done legally, that is, inserted in the ordinance. Councilman Klau said it should be in the ordinance. Councilman Vuola said the discussion at the time was of another Senior Citizen's development by U.S. Home. He too felt the recreation provisions should be in our ordinance. No one seemed to know how the provisions were lost when the new zoning amendment was adopted. (3.) Dr. Portnoy continued with his third point which was minimum lot area. He said there is no provision in the old section setting up this Senior Citizen's zone to permit clusterization. The Planning Board wants 4 units per acre. Using 7500 sq. ft. would permit 5 units per acre. The 4 units per acre will permit a nicer layout, with open spaces. Councilman Grossman brought up the fact that earlier ordinances passed had 10,000 sq. ft. Dr. Portnoy stated that they allowed no clusterization. The Planning Board would like to see 5000 sq. feet with cluster in this ordinance.

The Council President reminded Council that significant changes would have to be readvertised. Dr. Portnoy said this ordinance probably should be tabled. Councilman Grossman suggested that we pass as much as possible tonight, bearing in mind future modifications. He said a joint workshop with Planning Board must be held in order to finalize and polish the ordinance.

The feeling of Council was that this ordinance should be passed as is and amended later. Councilman Klau asked Mr. Bierman if Council could add the 100 acre minimum. Mr. Bierman said it would be a serious change.

Councilman Grossman introduced Resolution #272-78 (Ord. #20-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "ORDINANCE NO. 13-78 - AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF LAND; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE, ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATION IN THE TOWNSHIP OF MARLBORO"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Klau after which Councilman Grossman said he had some questions. He asked Dr. Portnoy for help. He noted that Section 300 eliminates the 60/40 designation. Mr. Bierman said that was intended. The Councilman said the map was slightly changed, the R80-C up near Matawan Boro is now R60-C. Mr. Bierman said that was done in the past, when the zoning ordinance was adopted last May. The Councilman said another language change refers to 2/3 of the total area in Senior Citizen's housing and the 1/3 remainder in the single family houses.

Councilman McClung asked Dr. Portnoy the name of the company which plans a Senior Citizen's development. Dr. Portnoy replied that it is U.S. Home Corp. The Councilman suggested that perhaps we should not have rezoned property owned by U.S. Home. He thinks it is a mistake to change that particular piece of property.

Councilman Klau asked about the 100 acre minimum, and the Council President said that would be done in the next go-around. Attorney Bierman said that would be a major revision. He suggested we wait and make all the changes at one time.

There was no further discussion and the roll was called. The Resolution and Ordinance were adopted by unanimous vote.

Councilman McClung introduced Resolution #273-78 (Ord. #23-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "ORDINANCE NO. 13-78 - AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF LAND; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE, ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATION IN THE TOWNSHIP OF MARLBORO"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman Grossman. There was no discussion and the Ordinance was adopted on the roll call vote as follows: Councilman Grossman, McClung, Vuola and Council President Croddick voted Aye; Councilman Klau, having left the room temporarily, was absent.

Resolution #274-78 (Ord. #24-78) was introduced by Councilman Vuola:

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "ORDINANCE NO. 14-78: AN ORDINANCE RELATING TO THE ORGANIZATION AND ADMINISTRATION OF THE GOVERNMENT OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, PURSUANT TO THE MAYOR-COUNCIL PLAN E OF THE OPTIONAL MUNICIPAL CHARTER LAW (N.J.S.A. 40: 69-68 THROUGH 73) TO THE EXTENT NOT OTHERWISE PROVIDED BY THE SAID OPTIONAL MUNICIPAL CHARTER LAW BY THE STATUTES OF THE STATE OF NEW JERSEY AND BY THE ORDINANCE OF THE TOWNSHIP OF MARLBORO"

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Seconded by Councilman Grossman. When the Council President asked if there were any discussion, Roxanne Horowitz asked to speak. She said she has been a Marlboro resident for six years, a taxpayer, giving service to her community by joining the First Aid Squad and working on recreation. She filed an employment application with the township two months ago and has heard nothing. She said she obtained civil service qualification in the relevant field, and she would like to work in Marlboro. She has heard there is an opening and she wants to be considered for the job. As a resident of Marlboro she said that she should be.

Councilman McClung asked Attorney Bierman whether State law mandated our hiring from within the township. Mr. Bierman said it did not.

Councilman McClung asked Mr. Bierman to research the matter and to give Council an opinion as to the legality of the proposed ordinance. He said that perhaps it violates State law and civil service.

Councilman Grossman asked Mr. Bierman whether our ordinance is in conflict with State law regulations. Mr. Bierman replied that our ordinance complies fully with State statutes and civil service requirements in Marlboro Township. He said this came up several months ago, perhaps a year ago. At that time civil service advised they had no objection to our hiring out-of-town residents; they just wanted some consistency in our policy.

Councilman McClung continued, saying that the reason we are amending the ordinance is because the Deputy Clerk has recently moved to Colts Neck. He asked if the position had been advertised. He thinks a Marlboro resident should be able to apply for it by virtue of seeing the opening advertised in the newspaper. He has no objection to the qualifications or the performance of Mrs. Halliden, but wants her replaced now that she no longer lives in Marlboro.

The Council President said the position had not been advertised, nor would it be, because it is not open. It is now filled by someone who has moved to Colts Neck.

Councilman McClung said he was sure there was someone in Marlboro qualified to fill the position. Council President Croddick said that the position is not vacant. job, but

Councilman Klau stated that Mr. McClung was confused about the need to advertise this position. The fact is that the position was held by a Marlboro resident who is continuing in the job after moving a mile or so outside the township border. She has done her work in a professional manner and you do not fire such a person. Should the position become vacant, township residents will be given first priority.

Councilman McClung said that when one accepts a job, one has an obligation to live up to the duties thereof. If there is a requirement to live in Marlboro, then one stays here. He noted that Mr. Cardillo is moving all the way from Connecticut; and if the Mayor does not reappoint him it will be only for half a year. Yet here we have a Deputy Clerk who says "now that I've got the job, I'll move to Colt's Neck." The Councilman said he would not be a part of such political shenanigans.

Council President Croddick said it seems strange that the Councilman would have such a hard line on this subject when hardly anybody employed by the Board of Education lives in the township. Mr. McClung must have been aware of that. Now, all of a sudden, he does not want anybody working for the township who lives outside.

Councilman Vuola said that originally this discussion and amendment was for the sole purpose of accommodating the Business Administrator, since we all agreed he was the ideal person for the job. But I still feel that his situation does not require this amendment. He said we have other professionals like the engineer, the attorney, etc., who do not live in the township, since you go for the best, wherever they are. The Deputy Clerk's position is not covered by civil service. As regards the Board of Education, their policy is different from that of Council. Our policy is to hire from the township. He concluded that if we do not, we will be remiss, and we will be opening the door to future appointments from somewhere else.

At this point, Council President Croddick moved to call the question. The motion was seconded by Councilman Klau, and failed by the following roll call vote: Councilmen Grossman, Klau and the Council President voted Aye; Councilmen McClung and Vuola, Nay. (A 2/3 vote is required to end debate.)

The Council President then asked the Clerk to call the roll for the vote on this Ordinance. It was adopted on the roll call vote as follows: Councilmen Grossman, Klau, McClung and Council President Croddick, Aye; Councilman Vuola, Nay. (Councilman McClung's vote is permanently recorded as Nay. See paragraph below.)

A few seconds afterwards, Councilman McClung realized he had voted affirmatively when he meant to vote against the ordinance. He told the Clerk to change his vote; but the Council President said it must remain as recorded. (Since the Chair did not announce the vote prior to Councilman McClung's request, the latter was within his right.)

The nine sets of minutes submitted as part of Resolution #275-78 were at first going to be voted on separately, but after Councilman Grossman said he had no problem with any of them, Councilman Klau said he had none either. It was therefore decided to vote on the Resolution as presented to the members of Council. The Council President reminded that any Councilman who was absent from a meeting must have his vote on those minutes recorded as absent. (Such absences are recorded on the copy of the resolution in the resolution book.)

Councilman Klau introduced Resolution #275-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings are approved as submitted and/or corrected:

March 20, 1978	- Special
April 17, 1978	- Special
April 24, 1978	- Special
April 27, 1978	- Regular
May 11, 1978	- Regular
May 8, 1978	- Special
June 22, 1978	- Regular
July 13, 1978	- Regular
August 10, 1978	- Regular

It was seconded by Councilman Grossman and adopted on the roll call vote as follows: Councilmen Grossman, Klau and the Council President, Aye; Councilmen McClung and Vuola, Nay. Councilman Vuola said he would explain his vote later. (After the meeting he informed the Clerk that he had not had time to read any of the minutes.)

Councilman Grossman introduced Resolution #276-78:

WHEREAS, it is the intention of the Township Council of the Township of Marlboro to resolve a continuing problem concerning the location of Collier's Lane within the Township: and

WHEREAS, one of the landowners has agreed and caused a metes and bounds description to be made at his own cost and expense so that the location of Collier's Lane can be fixed and determined:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro accepts the dedication of land and premises known as Collier's Lane as described on the metes and bounds description attached hereto and made a part hereof and the Township recognizes and acknowledges that the roadway identified as Collier's Lane on the attached description is a public road and right-of-way within the Township of Marlboro.

2. Nothing herein contained shall be construed as to require the Township of Marlboro to construct, re-construct, pave or maintain the lands and premises described herein and known as Collier's Lane.

3. That the Township Clerk is authorized and directed to forward a copy of this Resolution with the description attached to the Zoning Board of Adjustment.

Seconded by Councilman McClung and, there being no discussion, the roll was called for the vote. The resolution was adopted unanimously.

Councilman McClung introduced Resolution #277-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Special Permit for a Social Affair, pursuant to R.S. Title 33: C. 1 of the State of New Jersey (Division of Alcoholic Beverage Control), be granted and it is hereby granted, to New Breed C.B. Club of Iselin, New Jersey, in accordance with their Application No. A-21, which gives the date of the Special Affair as November 4, 1978, the place as the Morganville Fire Department, and the hours as 7 P.M. to 2 A.M.

Seconded by Councilman Vuola and, there being no discussion, the roll was called for the vote. The resolution was adopted unanimously.

Councilman Vuola introduced Resolution #278-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials, as required by law:

Police Department Communications Command Facilities; various systems to be utilized for recording, building security, cell block surveillance, and controlling various Police Department operational systems.

Seconded by Councilman McClung and, there being no discussion, the roll was called for the vote. The resolution was adopted unanimously.

Councilman Klau introduced Resolution #279-78:

WHEREAS, the first regularly scheduled business meeting of the Township Council falls on October 9, 1978, which said date is a legal holiday and the usual adjourned date as provided by the notice required under the Open Public Meetings Act falls upon a religious holiday; and

WHEREAS, the Township Council desires to conduct its meetings at a time and place which provides the most convenience for the members of the public;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the first business meeting in the month of October, 1978 shall be convened at 8:00 P.M. at the Municipal Offices on Monday, October 16, 1978.

2. That the first public meeting in the month of October, 1978 shall be convened at 8:00 P.M. at the Municipal Offices on Thursday, October 19, 1978.

3. That the Township Clerk is authorized and directed to forthwith publish notices in compliance with the Open Public Meetings Act concerning the cancellation of the regularly scheduled meetings and the rescheduling of said meetings as aforesaid.

Seconded by Councilman Grossman, and, there being no discussion, the roll was called for the vote. The resolution was adopted unanimously.

Councilman Grossman introduced Resolution #280-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered:

POLICE HEADQUARTERS AND MUNICIPAL COMPLEX
Electrical Contract No. 5 - Electrical
Construction Corporation; and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14-5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.
2. That the price for said work shall not exceed the sum of \$7,705.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Electrical Construction Corporation shall remain in full force and effect. That upon acceptance by Electrical Construction Corporation this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.
4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Electric Construction Corporation, with instructions to execute same and return to the Township Attorney's Office forthwith.

Seconded by Councilman Klau. Before the vote was taken, Councilman McClung asked the origin of this. Councilman Croddick told him that it represented estimates from the contractor; that we are digging the ditch. Mr. Bierman said that this figure is the maximum that can be spent for this work.

The Resolution was adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #281-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered:

POLICE HEADQUARTERS and MUNICIPAL COMPLEX
General Contract No. 1 - DAN MC CARRON & SON: and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.
2. That the price for said work shall not exceed the sum of \$2,560.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Dan McCarron & Son shall remain in full force and effect. That upon acceptance by Dan McCarron & Son this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.
4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to an McCarron & Son, with instructions to execute same and return to the Township Attorney's Office forthwith.

Seconded by Councilman Grossman. There being no discussion, the vote was taken by roll call. The Resolution was adopted unanimously.

The Council President opened the public hearing on Community Development Act Funds. He said that if any member of the public had any questions, he should direct them to him and he would ask Councilman Vuola to reply. He then asked Councilman Vuola to explain the subject.

The Councilman said that these funds come from the Federal Government through Monmouth County and are distributed by the County to the 47 municipalities which participate in the program. The funds are available for the sole purpose of upgrading poor areas and eliminating blight. The Designated Target Area in our township is the Texas-Greenwood Road area. He stated that during the first four years of the program Marlboro has received funds for and completed several projects. Fourth year funds will be released soon in the amount of \$75,000 for a Senior Citizen's project. We also have \$75,000 for the rehabilitation of homes. This year's monies are awaiting only approval by the Department of Environmental Protection. The projects are the continuation of Thomas Lane and the extension of water lines. For this we will receive \$103,000. We must submit plans for the 5th, 6th and 7th years by October 2nd. We are talking about \$250,000 per year. The plan must be comprehensive, designed to eliminate blighted areas.

For the 5th year, it is Council's intention to use \$150,000 for a complete recreation complex in the Texas-Greenwood area. It might be moved nearer to Tennent Road, but we are proceeding in the belief that it will be at Texas and Greenwood. It will include \$75,000 additional for 30 plus acres of property which formerly belonged to the Woodbridge State School. Within the Senior Citizen's complex will be a pool, basket ball and tennis courts, shuffle board courts, swings. It will cost approximately \$450,000 when complete. In the 5th year, we will apply \$25,000 for sewer and water hook-ups for poor people. In the 6th year, we will receive \$200,000 for the recreation project. Of this, \$16,000 will be used for sidewalks and curbs on Wicker Place. There will be \$2,800 spent on drainage, curbs and engineering fees for a project from Greenwood Road to the Matawan border.

We should receive \$80,000 in the 7th year, but we have no plans to present for it. If we cannot come up with any good suggestions, we might be able to obtain park personnel. This amount remains open for discussion. Councilman Vuola asked for reactions from the public.

Mrs. Antisell asked for more details about the Senior Citizen's project and the Councilman elaborated.

Charles Smith said there were more important things than sidewalks. Councilman Vuola explained that we are not permitted to build houses with these funds. He has just told us what we can do with this money.

Councilman Klau said the money is funded 100% by the Federal Government which restricts expenditures to a certain geographical area.

Councilman Vuola said these funds are absolutely free to the municipal governments. Obtaining them and spending them requires a lot of time on the part of the engineer, the Business Administrator and Councilman Vuola's time. He said this is the fourth year of our participation in the program. For the benefit of Charles Smith, he said we are not talking about seven years from now, but the 7th year of our participation in the program, which is three years from now.

Council President Croddick introduced Resolution #282-78

WHEREAS, a large number of the residents of the Township of Marlboro commute by bus to and from the New York Metropolitan area; and

WHEREAS, the following bus companies have filed applications for fare increases as indicated:

Transport of New Jersey Reference No. MP-ICC 31

Lincoln Transit Co. Reference No. MP-ICC 86; and

WHEREAS, the two applications are addressed to the Interstate Commerce Commission to permit a 10% fare increase; and

WHEREAS, it is the opinion of the Mayor and Township Council of the Township of Marlboro that the proposed fare increase is inflationary and unjustified in view of the deteriorating service by these carriers: and

WHEREAS, such fare increase will be counterproductive and tend to encourage the commuter to reject mass transportation and return to the use of private motor vehicles; and

WHEREAS, the application for a fare increase is the result of actions by the Commuter Operating Agency within the New Jersey Department of Transportation, which said agency has failed to provide the necessary subsidies to make this fare increase unnecessary; and

WHEREAS, the conclusion of each and every transportation expert who have considered the matter is that increased efficiency of operations would more than offset the need for any fare increase; and

WHEREAS, the result of this fare increase will be to provide more money to the bus companies without requiring an increase in service to the commuter;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Mayor and Township Council of the Township of Marlboro recommends and urges the Interstate Commerce Commission to reject the proposed 10% fare increase in the two applications mentioned hereinabove.

2. That the Commuter Operating Agency of the New Jersey Department of Transportation require the two bus companies herein concerned to develop and implement a plan that will result in safe, clean, reliable transportation in properly ventilated buses at no additional cost to the commuter.

3. That the Interstate Commerce Commission forthwith convene a meeting or meetings to examine the proper operations of the Transport of New Jersey and the Lincoln Transit Company so that proper bus transportation can be developed to encourage the commuter to avail himself of mass transportation in his daily travelling needs.

4. That a copy of this Resolution shall be forwarded forthwith to Governor Brendan Byrne, Senator Harrison Williams, Congressman James J. Howard, the New Jersey Department of Transportation, all members of the Monmouth County Legislative Delegation, Transport of New Jersey and Lincoln Transit Company.

Seconded by Councilman Klau: There being no discussion the roll was called and the resolution was adopted by the following vote: Councilmen Grossman, Klau, Vuola and the Council President, Aye; Councilman McClung, Absent. (Councilman McClung had left the room at this point in the proceedings, in order to answer the telephone.)

Councilman Grossman introduced Resolution #283-78:

WHEREAS, it has come to the attention of the Township Council of the Township of Marlboro that the Central Jersey Water Company has been granted an increase in rates for water use of approximately 91%; and

WHEREAS, the Council is not aware of any notice to the various customers of the Central Jersey Water Company concerning the rate increase; and

WHEREAS, the Mayor and Township Council joins with the customers of the Central Jersey Water Company in a protest against the increase in rates described in the letter dated August 31, 1978 to its customers;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Mayor and Township Council urges and recommends that the recent rate increase granted by the Board of Public Utilities to Central Jersey Water Company should be rescinded.

2. That the Board of Public Utilities convene hearings to determine if any rate increase is required and if such determination is in the affirmative the amount of said rate increase.

3. That the Township Attorney and Township Engineer are authorized and directed to take any and all action to protest the increase in rates recently granted and to attempt to set such rate increase aside.

4. That the Township Clerk is authorized and directed to forward a copy of this Resolution to the Board of Public Utilities, the Monmouth County Legislative Delegation and the Central Jersey Water Company.

Seconded by Councilman Vuola. Councilman Grossman stated that the letter sent by Central Jersey Water Company to its customers, dated

August 31st, informed them of a rate increase effective September 1st. He wants this included in our record of these proceedings. Not only is there this lack of notice, but the letter did not give any rationale whatsoever for the very large increase in rates. It just cited the new rate schedule, and Councilman Grossman strongly protests this increase as unconscionable. It has no semblance of reason behind it. At least the New Jersey Gas Company did advertise its rate increase application in all the newspapers. While the Councilman is no friend of the gas company, they have given adequate notice to the public. He forcefully moves the adoption of this resolution. The resolution was adopted on the following roll call vote: Councilmen Grossman, Klau, Vuola and Council President Croddick, Aye; Councilman McClung, Absent. (Councilman McClung had not returned to the Council chamber, having left to answer the telephone.)

Councilman Klau introduced Resolution #284-78 (General bill paying): a copy of which is attached hereto and made a part hereof.

Seconded by Council President Croddick. It was agreed that Jerry Beyer's bill should be removed, and that the total be reduced by the amount of that bill.

Councilman Klau asked about the printing bills. He knows that many small jobs under \$2,500 are being given out to firms other than Trade Printing Corp., the low bidder on the over -\$2,500 printing jobs. The Councilman thinks it strange that Trade Printing was not asked to do these small jobs.

Attorney Bierman said he thought most of the work was bid in the one contract. Mayor Goldzweig said he was not sure you could go contract by contract for printing unless there was a special project. Council President Croddick asked the Business Administrator to add Trade Printing Corp. to our bidder's list.

Councilman Grossman said that Councilman Klau was emphasizing that the low bidder on the large jobs should be among those solicited for the small jobs. He reminded council that our Auditors had commented that they thought they found evidence of the separation of work which might have been consolidated into a job amounting to over \$2500.

The resolution was adopted unanimously (as amended) on the roll call vote.

Councilman Vuola introduced Resolution #285-78 (Municipal Complex Bill Paying) a copy of which is attached hereto and made a part hereof.

Seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #286-78 (Swim Club Bill Paying) a copy of which is attached hereto and made a part hereof.

Seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Council President Croddick took up the matter of the petition from the residents of Triangle Oaks which reads as follows:

"We, the homeowners at Triangle Oaks, do hereby agree to take the funds set aside by the builder of this community for tree plantings and to use said funds toward a beautification program at the Route 520 entrance to Triangle Oaks."

This was received at the last caucus. After the meeting, the Council President asked Mr. Bierman to write to the residents through the head of their civic association. He has received a phone call and he thinks we have worked out something that will benefit everyone concerned. He said Planning Board has a meeting on September 27th and Council meets on the 28th. He recommends that we now introduce an ordinance setting aside the requirement for shade trees at the curb. If Planning Board approves it, then Council can hold the public hearing and second reading on September 28th.

Mr. Bierman explained that the contemplated ordinance would not release the developer from contributing any money for trees; it would simply allow him to place such trees in another area of the development.

Council President Croddick introduced Resolution #287-78 (Ord. #25-78):

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

AN ORDINANCE MODIFYING AND AMENDING CERTAIN
REQUIREMENTS OF THE SUBDIVISION APPROVAL
HERETOFORE GRANTED TO TRIANGLE OAKS INC.
(D.M.W. Inc.)

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

BE IT FURTHER RESOLVED that the same be considered for final passage on September 28, 1978, at 8.00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

It was seconded by Councilman McClung, and adopted unanimously on the roll call vote.

Councilman Grossman said he would like to add a resolution to tonight's agenda. It is a protest against pending legislation at the State level allowing the State to approve the location of facilities for mental patients. Such a resolution was adopted by Middletown Township and sent to us and was placed in the Councilmen's folders recently. Council agreed that such a protest should be added to the agenda and Councilman Grossman made the necessary changes in the Middletown resolution.

Councilman Grossman introduced Resolution #288-78

WHEREAS, Senate Bills 210, 211 and 212 propose to allow the State to approve the location of facilities for mental patients in residential areas without local consideration or approval, and

WHEREAS, this is a further diminution of a municipality's right to home rule, and

WHEREAS, allowing the State to take such actions arbitrarily and unilaterally would seriously and adversely affect the health and welfare of the other residents of the neighborhood,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro that it go on record as strongly opposing the passage of these Bills, and

BE IT FURTHER RESOLVED, that the Acting Clerk be directed to send certified copies of this resolution to each of the State Legislators representing Monmouth County, to each municipality contiguous to Marlboro, to the New Jersey State League of Municipalities, to the Governor of the state and to the Monmouth County Planning Board.

It was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

The Council President then announced that he had invited several men from cable television to our last caucus. Unfortunately, they got their dates mixed and came on Tuesday night. They will be invited to the next caucus on September 25th.

Councilman Grossman asked Council President Croddick to select a date for Council's joint meeting with the Planning Board.

Public Session

Irene Matulewicz of 22 Harrington asked about the proposed Nolan Road Park and was informed that some bids had just been received. She then inquired about the drainage ditch that they promised to dig at the end of her street. The Council President said the water problem has been there a long time, but there is some money in one of the bond ordinances to correct drainage problems. He will ask the Engineer about this.

Council President Croddick stated, in order to inform the public, that with the start of work on the Morganville sewer, there will be major problems in the streets for the next year. During the entire period of construction the public will have to be understanding.

Mrs. Matulewicz asked about Mr. Rubin, the builder of Harrington Estates. She was told that the township had moved against his bonds but correction of the various problems will take a long time because of litigation. The State Department of Environmental Protection is moving against Mr. Rubin also. The DEP sent a letter to a neighbor of Mrs. Matulewicz, with a copy to the clerk. The Clerk stated that she never received such a letter. Mrs. Matulewicz said she would try to get a copy for the Clerk's office and the Council.

Stanley Young asked to speak and was recognized by the Council President. He asked how Council can accept bids for the Nolan Road Park before the park has been approved by the Planning Board. Mayor Goldzweig assured Mr. Young that the plans will be presented to the Planning Board. The latter said that any expenditure, such as money for bid documents, before the approval of Planning Board is in violation of the law. The Mayor differed, stating that plans for the Planning Board cost money, but plans necessary for bidding are different.

Council President Croddick said that before we contract to build the park, the plans will be approved by the Planning Board. The route we have taken is not illegal even though Mr. Young thinks it is.

Mr. Bierman, upon being questioned by the Council President, said that the procedure being followed is absolutely correct.

Councilman Grossman read the invitation to the public from the Board of Education to a reception to be held at the Robertsville School on October 18th.

The meeting was adjourned at 10:23 P.M.

Minutes Approved: October 19, 1978 (as corrected by John F. Croddick)

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

RESOLUTION # 284-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED WITHOUT COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro Twsp. Net Pay Acct.	Net Pay Exchange	52,948.56	17825
C.J.B.T. Co. (F.I.T.)	Emp. Pay Deduc.	8,130.26	17826
N.J. Emp. H.B. Fund	Health Benefits	2,288.00	17829
N.J. Dependents H.B. Fund	" "	2,435.71	17830
C.J.B.T.Co. Bond Coupon Acct.	Interest on Bond	7,427.50	17838
Marl. Twsp. Net Pay Acct.	Net Pay Exch.	53,381.70	17839
C.J.B.T.Co.	Emp. Pay Deduc.	7,597.50	17840
St. of N.J. Div of Taxation	" " "	2,505.03	17841
P.E.R.S.	" " "	3,354.69	17842
P.E.R.S. Contrib. Gr. Ins.	" " "	307.33	17843
Public Assistance	Public Assistance	669.61	604-606
N.J. Dept. of Environ. Protect.	License Trust A/C	147.00	42
N.J. State Dept. of Health	Dog License a/c	9.00	1538
Marlboro Twsp. Gen a/c	Federal Revenue Sharing	17,475.00	420

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
J. & J. Contractors	Building Trust Fund	175.00	84
Martin Realty Develop.	" " "	150.00	85
Marlb. Twsp. Gen. Acct.	Other Trust Fund	814.83	266
Hartford Edgewood Inc.	" " "	24.50	267
Marlboro Twsp. Gen. Acct.	Anti-Recession Fund Acct.	2,000.00	104
	TOTAL:	161,841.22	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
F.R.H.S.	Reg. H.S. Taxes	103,164.40	
Marl. Twsp. Bd. of Ed.	Local School Taxes	522,812.00	
Kenneth L. Miller	Fire Dist. Taxes # 3	19,080.00	
Monmouth County Library	County of Mon. Library	5,000.00	
Alexander Heller Haserot Inc.	Preparation of Master Plan	2,500.00	
Asbury Park Press	Admin. 321.98 Engineer <u>27.12</u>	349.10	
A.P.	Administration	49.70	
B. & I. Locksmith	" "	289.00	
Matthew Bender & Co.	" "	42.50	
Jerry Beyer's Rest.	" "	137.65	
Drug Fair	Administration 19.83 Admin. 1977 <u>4.71</u>	24.54	
Dow Jones & Co. Inc.	Administration	88.46	
IBM Corp.	" "	1,462.82	
Int. Institute Of Mun. Clerks	" "	35.00	
N.J. Office Supply Co.	" "	870.15	
Paul Mark Printing	" "	37.10	
The News Tribune	" "	12.97	
Roger Lawrence Photography	" "	143.50	
Somes Uniforms Inc.	" "	62.50	
West Publishing Co.	" "	38.00	
Mun. Finance Officers Assoc.	Finance	30.00	
General Office Supply Co.	Finance 15.01 Police <u>182.17</u>	197.18	
Joseph C. LaMura	Tax Assessor	120.30	
Mat- Key Press	Tax Assessor 12.00 Bldg. Insp. <u>99.85</u>	111.85	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Bayshore Stationers	Tax Collector 8.40 Bldg. Insp. <u>39.00</u>	47.40	
Engineering News Record	Engineering	20.80	
Home News	" "	28.91	
Con-Fran Square Inc.	Pub. Bldg. & Grds	3,375.00	
Ever Last Supply Co.	" " "	132.01	
Raymond Jensen	Pub. Bldg. & Grds. 230.00 Recreation <u>110.00</u>	340.00	
R. Helfrich & Son Inc.	Senior Citizens	250.00	
Hendrickson Florist	" "	19.25	
Super Service Bus Co.	" "	152.50	
Jacob Emmanuel, Inc.	Insurance	1,896.00	
Linnett & Co. Inc.	Police	175.38	
N.J. State Police Training Center	Police	65.00	
Red The Tailor Inc.	Police	311.70	
V.E. Ralph & Son Inc.	"	100.90	
Freehold Area Hospital	Hospital Contributions	2,500.00	
John Cavaliere	Bldg. Inspect.	46.50	
Edward Savoie	" "	150.30	
Garden State Elect. Insp. Serv.	Electrical Inspections	3,777.00	
Industrial Bolt & Nut Co.	Highway Safety	124.89	
N.J. Concrete Pipe Co. Inc.	Sts. & Rds.	108.00	
C.H. Roberson Inc.	" "	83.20	
Top Hat Uniform Rental	" "	335.40	
Manzo Contracting Co. Inc.	Sts. & Rds. 292.20 B.O.11-78 17,214.24 B.O. 3-74 <u>720.00</u>	18,226.44	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Lyncar Corp.	Sts & Rds.	480.45	
	B.O. 11-78	<u>10,316.07</u>	10,796.52
Kem Manufacturing Corp.	Equip. Maint.	209.85	
	Police	<u>109.40</u>	319.25
B. & B. Auto Radiator	Equip Maint.		15.00
Bayshore Tire	" "		751.80
Cherry Valley Ford Tractor Sales	" "		324.81
Walter Heath Co. Inc.	" "		29.70
Imperial Oil Co. Inc.	" "		177.10
Power Crimp Industries Inc.	" "		67.05
L.D. Seely Co.	" "		54.15
Sprague's Oil Service Inc.	" "		4,060.44
Toms Ford Inc.	" "		58.03
Wattleground Maint. Supply Co.	Grds. Maint.	9.50	
	Sts. & Rds.	<u>15.05</u>	24.55
Four Season's Sports Center	Grds. Maint.		6.80
Matawan Lumber Co.	Grds. Maint.	59.80	
	Sts.& Rds.	9.80	
	B.O.18-75	<u>62.10</u>	131.70
Mattys Auto Parts	Grds. Maint.	594.90	
	Equip.Maint.	1,227.03	
	B.O.11-78	<u>852.89</u>	2,674.82
Mon. County Garden Center	Grds. Maint.		22.00
W.H. Potter & Son	" "		67.75
Shore Tractor Co.	Grds. Maint.	221.48	
	Equip.Maint.	<u>103.01</u>	324.49
J.C.P.L.Co.	St. Lighting	6,859.28	
	Utilities	<u>1,564.28</u>	8,423.56
Associated Humane Societies	Dog Regulations		480.00

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
F.R.H.S. Bd. of Ed.	Recreation	600.00	
Efinger Sporting Goods Co.	" "	1,827.83	
Harby's Sports Inc.	" "	137.28	
Masco Sports VI	" "	328.50	
Perry's II Trophy Co.	Recreation 394.00 Rec. 1977 <u>170.84</u>	564.84	
Marlboro Twsp. Bd. of Ed.	Recreation 1977	186.18	
Woodcrest Arcadia Co. Inc.	Recreation	209.44	
Kepwel Spring Water Co. Inc.	Utilities	142.75	
N.J. Bell Telephone Co.	" "	1,548.50	
N.J. Natural Gas Co.	" "	21.86	
W.M.U.A.	" "	127.50	
cker Hardware, Inc.	Library	14.39	
Mrs. Leni Grossman	" "	49.07	
William A. Mechmann	" "	4.31	
Heyniger Brothers	B.O. 11-78	45.80	
Fox Equipment Co.	B.O. 18-75	79.00	
W.M.U.A.	B.O. 12-73 633.70 Cap. Acct. Commit. Payable <u>1938.70</u>	2,572.40	
Sloan Products Co.	Administration	44.55	
Robert A. Coogan Esq.	Prior Years Bills	5,717.75	
	TOTAL:	731,956.77	
		- 137.65	p. 3

OFFERED BY: Vuola

AYES: 5

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

9/8/78

Date

Sheila Fittkin
Treasurer

RESOLUTION # 285-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Electric Const. Corp.	B.O. 20-77	2,970.00	
Dan McCarron & Son	B.O. 20-77	45,215.90	
& R. Mechanical Contractors	B.O. 20-77	81,167.40	
John Maltese Iron Works Inc.	B.O. 20-77	5,625.00	
Management Implementation Assoc.	B.O. 20-77	2,800.00	
Emanuel Milstein	B.O. 20-77	2,000.00	
Testwell Laboratories, Inc.	B.O. 20-77	326.25	
Witthoefft & Rudolph Arch.	B.O. 20-77	1,500.00	
Monmouth Communications Systems	B.O. 20-77	5,000.00	
	TOTAL:	146,604.55	

OFFERED BY: McClung

AYES: 5

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

9/8/78

Date

Sheila Giffin
Treasurer

OFFERED BY: Klau

AYES: 5

SECONDED BY: Croddick

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

9/8/78

Date

Sheila Fishkin
Treasurer

REGULAR MEETING OF COUNCIL

September 28, 1978

The meeting was called to order by Council President Croddick at 8 P.M. After the salute to the flag, the Clerk called the roll indicating the presence of all Councilmen. Also present were Township Attorney, Herbert B. Bierman, Business Administrator, Richard M. Cardillo and, at 8:08 P.M., Mayor Arthur Goldzweig.

Bids were received for the Village Sewer Project from Estes Excavation, Inc. of Franklin Lakes, New Jersey; Condrun Construction Company, Newark, New Jersey; and F. J. Ientile, Boundary Road, Marlboro, New Jersey. They were turned over to the Business Administrator for tabulation. Councilman Vuola suggested that he call Schoor Engineering to make certain that everything is in order.

The Council President then welcomed the players of our travelling soccer teams who were in the audience, the parents of these boys, and the coaches. The teams are the Under 12, Under 14 and Under 16.

Mr. Croddick asked Ray Salk, Director of the Soccer Program, to come forward to tell the audience about these teams. Mr. Salk said they are very good in competition. Two of them have won gold metals. Four teams were runners-up in the soccerama. The presentation of awards to the players tonight is Marlboro's way of saying thank you to players and coaches. As the Council President read the names, Mayor Goldzweig certificates of appreciation to the players. The coaches and managers were complimented for their dedication to the program.

Mayor Goldzweig opened his Administrative Report by reading a Proclamation declaring October 7 - 15 Knights of Columbus Week in honor of Christopher Columbus. Council President Croddick accepted the Proclamation on behalf of the Knights of Columbus, Council No. 1672, Freehold, New Jersey.

The Mayor continued by stating that Marlboro has always been in a leadership position in efforts to better the lot of the bus and rail commuter. The 10% fare increase in both bus and rail transportation was granted by the Interstate Commerce Commission despite the vigorous protests of the Township Council, many individual commuters and the Mayor's own law firm. The Mayor read his copy of a letter written to the ICC by the Acting Secretary of Transport of New Jersey. The substance of this letter is that their service has not really deteriorated; that they are trying to update the age of their busses, the average age of which is 9.75 years at present. Mayor Goldzweig said (as he had in his protest) that increased efficiency of operation would offset the need to increase fares. It is a crime that the

largest private carrier in America (TNT), operating with a subsidy, should obtain a fare increase at this time. That their attorney should write to the ICC defending their service is tragic. It is shameful for such a company to tell the ICC about their preventive maintenance program when thousands of commuters know it is not effective. The man who wrote the letter is not a commuter. The Goldzweig firm is now preparing a complaint to the ICC which will be ready next week.

The Mayor stated that Mr. Bierman has concluded that Ordinance 24-78 is legal and it is not the intention of the Mayor to veto it. However, he thinks it is permissive. In his opinion we should hire residents. This ordinance, giving Marlboro residents first preference in hiring, but making it possible to hire non-residents, will not influence the Mayor's policies which will be implemented by the Business Administrator. That leaves it solely in the hands of Council for its appointments in the Clerk's office. The Mayor said he looks forward to reading Mr. Bierman's opinion.

The Mayor said he had promised Council a Road Report and today received a brief one which he did not think sufficient. He said that under Ordinance 11-78, Old Mill Road, Crine Road and 90% of Beacon Hill have already been done. He complimented the Road Department on the skills developed since it started doing road repairs four years ago.

The Parking Lot is being expanded so that next year we will have 6.2 acres for 600 cars. The Mayor said we have begged the bus companies to provide direct service to that lot. He would like a bona fide Park and Ride facility with service for commuters which will generate additional revenues.

Citizen's Voice

Mrs. Alyce Lathrop said that today she received a letter from Mr. Bierman addressed to the Pleasant Valley Society which was supposed to be in reply to a petition which she presented to Council. The petition was addressed to Council and sent to Council, but Council did not answer. She had with her a copy of Ordinance 14-78 under which her petition was filed. It makes no allowance for the dismissal of such a petition and Council, by resolution, dismissed the petition of the Pleasant Valley Preservation Society. There was no reason for dismissal in that we filed it on the 9th day. She challenged the statement in Council's resolution that the Society failed to perfect the appeal, stating that there is no necessity to perfect the appeal at the time of petitioning. The appeal could not be perfected without the transcript which she did not receive within the forty-five day period stated in the ordinance. The appeal must rest on the transcript. Mrs. Lathrop said she does not believe Mr. Bier-

man can count to ten and she does not like to see Council following him. She expects her petition to be considered under the Sunshine Law, and by the Council. As a necessity, she is overlooking this correspondence with Mr. Bierman.

Mrs. Helen Davis of Morganville spoke to complain about the fact that there is not one black boy in the soccer program. Her son, who would like to participate in soccer, was refused permission. They broke his leg and they hurt his neck. They will not let him play in one sport. She asked what other parents think of this. She contends the head of the program is prejudiced against black children. Her son is 13 years old and reported this to his mother. She said her son is a good athlete. The coach has not returned the money she paid for her son to join a soccer team. They had him in all the trials: football, baseball, basketball, but never let him join a team. This was months ago and now Mrs. Davis wants an answer from somebody. She pays taxes, she is an American citizen, just like the rest of Morganville. "We are not foreigners" she emphasized.

Mayor Goldzweig said that both of his parents were foreigners and he was very proud of them. He does not know why any child is refused a place on a team so he cannot debate that. Maybe her son was rejected for medical reasons. The travel teams have to have try-outs, but anyone can play soccer. The Mayor stated that his son did not make a travel team. Councilman Grossman interposed that his son did not make such a team either. Mayor Goldzweig said that Pop Warner does not show prejudice and any child can play in the Recreation Program. If they cannot afford the fee, the fee is waived. All that is needed is the completed application form. Simply by showing up, a child can play. Mrs. Davis said that someone should have told her all this.

At 8:43 P.M. the Citizen's Voice was closed. Councilman Grossman said it would be helpful to Council to learn about a complaint as soon as anyone feels aggrieved. If she (Mrs. Davis) will remember this, the Councilman said he would fight for her on any legitimate gripe she may have.

Council President Croddick opened the public hearing on Ordinance #25-78 (Triangle Oaks Landscaping). As no one wished to speak, the public hearing was closed.

Councilman Vuola introduced Res. #289-78 (Ord. #25-78):

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

AN ORDINANCE MODIFYING AND AMENDING CERTAIN
REQUIREMENTS OF THE SUBDIVISION APPROVAL
HERETOFORE GRANTED TO TRIANGLE OAKS INC.
(D.M.W. INC.)

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Before the vote was taken, Councilman Vuola explained for the benefit of the public that the residents of Triangle Oaks wanted the trees planted at the entrance to their development rather than at the curb. This change was approved by the Planning Board last night, according to the Council President.

Councilman Klau introduced Res. #290-78:

WHEREAS the rightful owner of Block 58-0, Lot 4, has redeemed Tax Sale Certificate No. 76-1; and WHEREAS the holder of said tax sale certificate, Sheila Brodsky, is entitled to taxes plus interest and costs in the amount of \$7,200.28;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the amount of \$7,200.28 be refunded to the holder of said certificate as above.

When the Council President asked whether there was any discussion, Councilman Vuola said this resolution brought to mind events of past years. At its next caucus, he asked Council to consider an Ordinance which would prohibit any elected or appointed township official from buying or holding a tax sale certificate of this township.

The Council President asked the Township Attorney to have a legal opinion on this for the next caucus.

The resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #291-78:

BE IT RESOLVED that A. S. Gilbert, Inc., P.O. Box 338, Kingston, New Jersey, 08528, be and is determined to be the lowest bidder covering the following work, labor and/or materials: Four (4) Good Roads Model 712 one-way Snow Plows @ \$2,697.00 each; that the bid prices covering the said equipment are now on file with the Township Business Administrator and the contract for the same is hereby awarded to A.S. Gilbert, Inc. on his low bid total of \$10,788.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Grossman introduced Res. #292-78:

BE IT RESOLVED that Jersey Equipment Sales Co., 460 Hollywood Avenue,

South Plainfield, New Jersey, 07080, be and they are determined to be the only bidder meeting the specifications covering the following work, labor and/or materials: One new John Deere 644 Front End Loader @ \$59,233.00; that the bid prices covering the said equipment are now on file with the Township Business Administrator and the contract for the same is hereby awarded to Jersey Equipment Sales Co. on their bid of \$59,233.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Klau and, there being no discussion, the roll was called and the resolution adopted on the following vote: Councilmen Grossman and Klau and Council President Croddick, Aye; Councilmen McClung and Vuola, Nay.

Councilman Vuola introduced Resolution #293-78:

BE IT RESOLVED that Store Tractor Company, P.O. Box 68, South Avenue East, Westfield, New Jersey, 07091, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: Two Torwel No. #4DGHW 6D six cubic yard Spreaders @ \$4,750 each; that the bid prices covering the said materials are now on file with the Township Business Administrator and the contract for the same is hereby awarded to Storr Tractor Company on their low bid of \$9,500.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Klau introduced Res. #294-78:

BE IT RESOLVED that Shore Tractor Co., R. D. 1, Route 9, Freehold, New Jersey, 07728, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: One 1978 Model CA 212B Ford Tractor; and one Model 3500 Triumph Sickle Bar. Total, \$8,460.00; that the bid prices covering the said materials are now on file with the Township Business Administrator and the contract for the same is hereby awarded to Shore Tractor Co. on their low bid of \$8,460.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #295-78:

BE IT RESOLVED that General G.M.C. Sales, Inc., P.O. Box 501, Lakewood, New Jersey 08701, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: One Tandem Diesel Dump Truck @ \$30,891.00; Two Dump Trucks @ \$16,631.00 each; that the bid prices covering the said equipment are now on file with the Township Business Administrator and the contract for the same is hereby awarded to General G.M.C. Sales, Inc. on their low bid of a total of \$64,153.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

With regard to Resolution #296-78, the Council President asked that Henry Simms come into the Councilroom. Business Administrator, Richard M. Cardillo, stated that the figure given in this resolution is not correct and that Mr. Simms would have the number in a few minutes. Mr. Croddick said Council would put this aside and go on to the next resolution.

Councilman Grossman introduced Resolution #297-78:

WHEREAS, the Township received bids for the construction of the Lloyd-Nolan Road Park and the Marlin Estates Park and have received a recommendation from the Township Engineer;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That all bids heretofore received in connection with the Lloyd-Nolan Road Park and the Marlin Estates Park are hereby rejected and the Township Clerk is authorized and directed to return the bid bond or other surety to the bidder.

2. That the Business Administrator is authorized to advertise for open, competitive bids for the following said work, labor and/or materials as required by law: LLOYD-NOLAN ROAD PARK and MARLIN ESTATES PARK.

It was seconded by Councilman Vuola after which the Council President explained that we had received bids at our last Council meeting which were approximately 30% to 40% over our previous bid. It was recommended by the Township Engineer that we solicit new bids.

Mayor Goldzweig asked whether we knew how much Green Acres money was involved. The Business Administrator said he has been trying to reach Mr. Zurich on this matter. He has been informed that the State would like to discuss the right bid when it comes in. We anticipate \$51,000 in Green Acres funds. The delay in bidding does not endanger the Green Acres funds.

Councilman Vuola said that Allen Blacktop is a bidder for the second time. About six months ago, that firm informed us that if we did not award the bid within ten days there would be an increase of 10%. The bid we got a few days ago was 40% over the original figure and the Engineer recommended rejecting it. The work is 70% finished. Only the handball and basket ball courts remain to be done.

Resolution #297-78 was adopted unanimously on the roll call vote.

Council President Croddick introduced Resolution #298-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and he is authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law: Rock Salt, Radios for Road Department Equipment, Electrical Inspection Contract.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Grossman introduced Resolution #299-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings be approved as submitted and/or corrected: March 23, 1978 - Regular; September 14, 1978 - Regular.

It was seconded by Councilman Vuola after which Mr. Croddick asked if there were any discussion. Councilman McClung asked that the minutes be voted on separately. The Council President agreed and asked Councilman Grossman to amend the resolution by motion to include only the minutes of March 23, 1978 - Regular. This was agreeable to Councilman Vuola. The resolution was adopted as amended by the unanimous vote of all Councilmen.

Councilman McClung stated that the minutes of September 14, 1978, should indicate that when he was absent from the room he was answering the Clerk's telephone. He asked that Council table this set of minutes as there are several other points he would like to raise, such as the call to the question on page 8. He said he had made a mistake in voting for rather than against the change in the Administrative Code. He did request permission to have his vote changed which was not granted by the Council President. He stated that

Robert's Rules of Order permit the changing of a vote any time before the Chairman has announced the vote. He wants his vote changed. He is against that ordinance. He mentioned several pages where he wants changes made. If the Clerk will amend the minutes as he has indicated, it will be fine to pass them. He does think there is some editorializing going on.

Council President Croddick asked Councilman McClung to submit his corrections in writing so we can discuss the minutes at the next caucus meeting. For the present, these minutes are tabled.

Councilman Klau said he thought there was a ruling made a year or two ago, based on comments he had regarding some minutes, . . . a ruling from the attorney was that if any councilman had any objections to minutes, or saw anything differently, he could submit a letter to be attached to the minutes, giving his view.

Councilman McClung said he had no problem with submitting that letter. Mr. Bierman said this was the policy adhered to: that if a Councilman had any objections to minutes, they were tabled until the next meeting so that he could have an opportunity to express those objections.

The Council President repeated that the minutes of September 14th are tabled.

Councilman Grossman asked if he might take just a second to address Councilman McClung. He has a bit of parliamentary advice which is that the Councilman could have appealed the ruling of the Council President with regard to the vote which he cast in error. Councilman Grossman said he would have voted for him to have his vote recorded as he intended.

Councilman Vuola introduced Resolution #300-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Electrical - Electric Construction Co.; and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.
2. That the price for said work shall not exceed the sum of \$3,463.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Electric Construction Co. shall remain in full force and effect. That upon acceptance by Electric Construction Co. this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.
4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Electric Construction Co. with instructions to execute same and return to the Township Attorney's Office forthwith.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #301-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Plumbing - M & R Mechanical Contractors, Inc.; and

WHEREAS, the Township Council has received a recommendation that a Change Order be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described, by M & R Mechanical Contractors, Inc.; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the above named Contract as more particularly described in the report and recommendation attached hereto.
2. That the price for said work shall not exceed the sum of \$650.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and M & R Mechanical Contractors, Inc. shall remain in full force and effect.

4. That upon acceptance by M & R Mechanical Contractors, Inc. this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

5. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to M & R Mechanical Contractors, Inc. with instructions to execute same and return it to the Township Attorney's Office forthwith.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote, there being no discussion beforehand.

Councilman McClung introduced Resolution #302-78:

WHEREAS, pursuant to the provisions of N.J.S.A. 40A: 5-21, application is hereby made to increase a petty cash fund for the Welfare Director to the amount of \$850.00;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Clerk is hereby directed to make application for such authorization as per attached Local Government Services Application.

It was seconded by Councilman Vuola after which the Council President asked the Mayor to elucidate on this. The Mayor deferred to Mr. Bierman who stated that it was done by voucher. Welfare has apparently run into a problem with the turn-around time for receiving money. The increased fund will give them more flexibility. They need this extra \$350 so that in emergency situations they can provide food or fuel or whatever until a voucher is actually processed, and the money reimbursed to the Township.

The wording of the Resolution caused some confusion and it was agreed that the word "in" in the third line should have been "to."

The Resolution was adopted with the correction unanimously on the roll call vote.

Councilman Klau introduced Resolution #303-78 (general bill paying) a copy of which is attached hereto and made a part hereof.

It was seconded by Councilman Grossman, and the Council President asked if there were any discussion. Councilman McClung said he felt the entire bill paying was illegal because it included a salary for a person whom we all know who does not live in Marlboro. Unless the payroll can be separated from the bill paying, the Councilman believes it is an illegal bill paying. He said he has no problem with the resolution other than the Net Payroll Account.

Councilman Vuola said he agreed with Mr. McClung regarding the illegality of the person in the Deputy Clerk's position. However, he said that person is under civil service and must be paid.

Councilman Klau called attention to the fact that the Township Attorney had rendered a legal opinion on the recent amendment to the Administrative Code (Ordinance #24-78), that the opinion is in the folders tonight, and that the opinion states that the aforementioned ordinance is legal.

Councilman McClung said he appreciated the various reflections on this matter. He said he had not concluded that people who live outside Marlboro can legally work here. He believes State statute prohibits this and he declared that civil service does not overrule state statute.

Council President Croddick said he would take note of Councilman McClung's position and would also take note of the fact that he is not an attorney. He said he would take the advice of the Township Attorney.

The Resolution was adopted on the following roll call vote: Councilmen Grossman, Klau, Vuola and the Council President voted Aye; Councilman McClung, Nay.

Councilman Grossman introduced Resolution #304-78 (Swim Club Bill Paying) a copy of which is attached hereto and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Council President Croddick introduced Resolution #305-78 (Municipal Complex Bill Paying) a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Vuola after which Mr. Croddick asked if there were any discussion. Councilman Grossman said that he saw the Finance Director in the audience, and that for the next caucus he would like an overview of the total authorization of Bond Ordinance #20-77 to which this bill paying was charged. He wants to know what has actually been spent, what has been committed and not spent, in all categories, be they legal fees, engineering, contractors, etc. And he then wants to know what is still available, unspent and uncommitted. He stated that we keep charging this fund and he doesn't know whether there is anything left.

Mayor Goldzweig said that Finance does watch how close we are to limit. The monthly Bond Status Report shows all the figures the Councilman has asked about and the Councilmen will have the information in more detail at the next meeting. He does know that we are virtually out of money on all but the statutory costs. He has asked Sheila Fishkin to do an analysis of these costs to see if we can shift some of the money from 40A to contract costs. If not, we are just about out of money for future change orders.

The Resolution was adopted unanimously on the roll call vote.

The Council President then returned to Resolution #296-78, the award of a bid on Large Standing Games. He asked Henry Simms and the Business Administrator whether they now had the correct figure for this resolution. Mr. Cardillo said that the Recreation Director had been selective in his purchases from McDonald's Pro Shop. The purchases are predicated on a transfer of funds from Salaries and Wages in his budget to Operating Expenses. He does not have the money in the budget now. The successful awarding of the low bid to McDonald's requires this transfer of funds.

Mr. Bierman stated that Mr. Croddick was correct in his assumption that no transfer could be made until November first. Therefore Council should not award this bid.

Mr. Simms said he had determined what he wanted to purchase. The Council President said that at the meeting in November we would transfer the funds and made the award. There is no emergency because the material is not needed until the summer. Resolution #296-78 is therefore tabled.

Councilman Vuola asked whether the equipment ordered in November would be delivered and would have to be stored until next spring. Mr. Simms said the supplier would hold our purchases until July first, when he would deliver them.

The Council President called attention to a letter of September 21st from New Jersey Natural Gas Company in his folder (and the folders of all present at the table). A copy of that letter is attached hereto and made a part hereof. Mr. Croddick asked the Business Administrator to see whether we might get any grants under the Federal Housing and Community Development Act of 1974 and the Public Works Employment Act of 1976 mentioned in the letter.

Council President Croddick then requested that everyone stand for a minute of silent prayer for Mr. Jerry Smith, President of the Friendship Senior Citizens Club of Marlboro who passed away yesterday. The Council President knew him well, he was a fine gentleman, and we should show this mark of respect.

Mayor Goldzweig then asked if we might include in our moment of silence Judy Thaler, wife of David Thaler, editor of the Bayshore Independent, whose son was recently killed by accident.

The moment of silence was observed.

Councilman Vuola said that at the next caucus he would like Council to consider a resolution opposing the removal of the words "In God We Trust" from U. S. currency. A number of such resolutions have been adopted by Monmouth County municipalities and the councilman believes Marlboro should be added to the list.

The following people spoke during the Public Session: Steve Liebowitz of Armore Drive, Charles Smith of Morganville, Stanley Young of Duncan Drive, Martin Spector, Chairman of the Western Monmouth Transportation Board and Lily Anderson of Martha Place.

Mr. Liebowitz asked about a Teen Center which he thinks the township needs. Charles Smith asked when the Morganville sewers will be ready. Stanley Young said it was illegal to award bids for the two parks (Lloyd-Nolan and Marlin Estates) because the parks have not been approved by the Planning Board. Mr. Spector thanked Mayor and Council for their efforts in opposing the 10% fare increase which would be decided by 4 P.M. tomorrow. Mrs. Anderson inquired about the Senior Citizens Center in Morganville and Councilman Vuola answered her in detail.

Mr. Sandy Moore, Sales Manager of Landpower Equipment Inc. asked to speak. He is puzzled by Council's passage of Resolution #294-78 awarding the bid for the tractor and sickle bar to Shore Tractor Co. They are offering a 1978 tractor when our specifications require a 1979 tractor. He wonders why his company did not get the award. He bid on a 1979 tractor and Shore did not.

Councilman Vuola asked to see the specifications which Mr. Moore had with him and the specifications clearly state "one new 1979 Ford Tractor." He said we must cancel the award made earlier in the meeting.

On a motion made by Councilman Vuola and seconded by Councilman McClung and adopted unanimously on the roll call vote, Resolution #294-78 was rescinded.

Mr. Moore said his company had bid on both 1978 and 1979 tractors. He had tried to find out where he stood by coming in to the office this morning and inquiring. But neither the Engineer nor the Business Administrator would give him any information. If he had been told that Shore was going to get the award, he could have discussed it with someone. His conversation with the Engineer was a week ago.

At that, Councilman Vuola assured him that the Engineer did not know what Council would do, because Council did not caucus on the matter until September 25th.

The meeting was adjourned at 10:02 P.M.

Minutes Approved: December 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

RESOLUTION # 303-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED PRIOR TO COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK. #</u>
Morganville Postmaster	Administration	500.00	17845
Marlboro Township	Net Payroll Acct.	37,183.38	17846
Marlboro Postmaster	Recreation	53.49	17848
C.J.B.T.CO.	Emp. Payroll Deduct.	7,328.43	17847
Morganville Postmaster	Recreation	66.32	17849
H. Fienman	Tax Refund	190.38	17944
Morganville Postmaster	Recreation	132.51	17945
Marlboro Postmaster	Recreation	107.20	17946
Richard Cardillo	Petty Cash	60.34	17947
N.J. Emp. H.B. Fund	Health Benefits	2,259.40	17948
N.J. Dep. H.B. Fund	" "	2,465.25	17949
Ernest Csuti	Bldg. Trust Fund	1,750.00	86
Robert Davis	" " "	180.00	87
	TOTAL:	52,276.70	

	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Bd.of Fire Commissioners	Fire Dist. Taxes # 1	23,662.50	
Bob Boyd	Administration	25.00	
Asbury Park Press	" "	269.34	
A.&.P.	" "	37.33	
Marjorie E. Currey	" "	9.30	
The Bayshore Independent	" "	4.60	
B. & I. Locksmith	" "	25.00	
N.J. Mayor's Assoc.	" "	50.00	
IBM Corp.	" "	1,548.00	
Bayshore Stationers	Admin. 63.16 Bd. of Adjust 48.00 Inspection <u>38.80</u>	149.96	
Benjamin Litwin, R.M.A.	Finance Annual Audit	8,500.00	
STC Computer Services	Tax Assessor 167.56 Tax Collector <u>40.00</u>	207.56	
Palitto Agency	Tax Collector	35.00	
E.Usher-J.Pilato Co.	" "	29.31	
Arrow Uniform Supply Inc.	Pub. Bldg. & Grds.	10.50	
Nade Services	" " "	21.00	
Battleground Maint. Supply Co.	Pub. Bldg. & Grds. 50.40 Police <u>78.65</u>	129.05	
Norman B. Kauff Esq.	Bd. of Adjust, Contractural	921.50	
David Zolkin	Planning Bd., Contractural	1,250.00	
Radio Shack	Planning Board	30.96	
Larison's Turkey Farm Inn	Senior Citizens (Friendship)	50.00	

**The Following
Documents are
of
Poor Quality and
Can't be Filmed
any
Better**

	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Productions, Inc.	Senior Citizens (Friendship)	475.00	
Marlboro Twsp. Cleaners Inc.	Police	297.50	
J. Mazzeo	Police	324.00	
Red The Uniform Tailor Inc.	Police	147.80	
Scrub A Dub of Cambridge	Police	24.00	
Chief Joseph Walker	Police	400.00	
Camera Showplace	Police	24.35	
	Hwy. Safety	<u>7.49</u>	31.84
Con-Lux Coatings, Inc.	Highway Safety		241.00
John Cavaliere	Inspections		50.25
Edward Savoie	Inspections		170.25
Dunlop & Lisk Pottery Co.	Sts. & Rds.		55.70
3 M Co.	" " "		948.00
Lyncar Corp.	Sts. & Rds.	36.33	
	B.O. 11-78	<u>35.34</u>	71.67
Matawan Lumber Inc.	Sts. & Rds.	10.80	
	B.O. 18-75	<u>24.50</u>	35.30
C.H. Roberson Inc.	Equip. Maint.	1.96	
	Sts. & Rds.	<u>10.50</u>	12.46
Bargs Lawn & Garden Shop	Equip. Maint.		2.70
Bayshore Tire	" "		55.42
General G.M.C. Sales Inc.	" "		10.61
George Chevrolet Inc.	" "		1.13
Harter Equip. Inc.	" "		18.90
Shore Tractor Co.	Equip Maint.		85.10
Spragues Oil Service Inc.	" "		3,638.33
Toms Ford Inc.	" "		54.60
Harris Hardware	Equip. Maint.	10.95	
	Grds. Maint.	<u>6.39</u>	17.34

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
J.E.P. Sales Inc.	Grds. Maint. 1977	55.49	
Dick's Lawn Mower Service	Grds. Maint. 1977- 25.85 B.O. 3-74 <u>49.40</u>	75.25	
Hurricane Fence Co. Inc.	Grds. Maint.	625.00	
Mattys Auto Parts	Grds. Maint. 6.95 Equip. Maint. 171.55 Sts. & Rds. <u>22.00</u>	200.50	
W.H. Potter & Son Inc.	Grds. Maint.	16.50	
J.C.P.L.Co.	St. Lighting 412.39 Utilities <u>451.31</u>	863.70	
N.J. Bell Telephone Co.	Utilities	1,702.70	
N.J. Natural Gas Co.	" "	6.00	
Associated Humane Societies	Dog Regulations	480.00	
Efinger Sporting Goods	Recreation	920.12	
MASCO Co.	Recreation	233.60	
Sipersteins.	" "	68.75	
Trade Printing Corp.	" "	455.77	
Metuchen Center Inc.	Pop Warner	1,247.03	
Gaylord Bors. Inc.	Library	304.00	
Marlectric Inc.	Library	22.50	
Maccaferri Gabions Inc.	B.O. 3-74	3,900.00	
Robert C. Wendel & Sons, Inc.	B.O. 3-74	420.00	
Builders Block & Supply Co.	B.O. 18-75	68.50	
N.J. Materials Co. Inc.	B.O. 18-75	26.50	
Manzo Contracting Co.	B.O. 11-78	17,889.38	
utz Appellate Printers, Inc.	Legal	118.80	
	TOTAL:	73,834.90	

OFFERED BY: Klau

AYES: 4

SECONDED BY: Grossman

NAYS: 1

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

9/22/78

Date

Sheila Furbur
Treasurer

RESOLUTION # 304-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK</u>
Cavanaugh's Exterminating Co.	Swim Pool	40.00	
J.C.P.L.Co.	" "	821.14	
N.J. Bell Telephone Co.	" "	12.87	
Westron Corp.	" "	177.91	
	TOTAL:	1,051.92	

OFFERED BY: Grossman

AYES: 5

SECONDED BY: McClung

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Creedick
John F. Creedick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

9/22/78

Date

Sheila Fishkin
Treasurer

RESOLUTION # 305-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

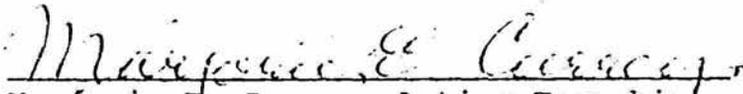
<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Herbert B. Bierman, Esq.	B.O. 20-77	1,500.00	

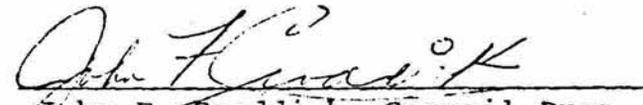
OFFERED BY: Croddick

AYES: 5

SECONDED BY: Vuola

NAYS: 0


Marjorie E. Currey, Acting Township
Clerk


John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

NEW JERSEY NATURAL GAS COMPANY
601 BANGS AVENUE
ASBURY PARK, NEW JERSEY 07712

September 21, 1978

Mayor and Council
Township of Marlboro
Drawer D
Marlboro, New Jersey 07746

RECEIVED

SEP 27 1978

TOWNSHIP OF MARLBORO
MAYOR'S OFFICE

Re: Relocation Costs of Utility Facilities for
Public Improvement Projects

Gentlemen:

Our General Counsel has reviewed the Federal Housing and Community Development Act of 1974 and the Public Works Employment Act of 1976 and has noted that in each Act there are provisions which allow the costs incurred by public utilities for the necessary relocation and/or lowering of their facilities to be included in the project budget for federal funding, so that these costs can be reimbursed to the local utility.

We are sure that you are aware we will pay your community this year a total of \$121,584.92 representing Gross Receipts, Franchise, and Real Estate Taxes, making New Jersey Natural Gas Company one of the major taxpayers in your community.

If you are planning any projects to be funded by either one of the above mentioned Acts, we would respectfully request that you include our relocation costs in your project budget for purposes of federal reimbursement. Your cooperation in this regard will help to keep the utility rates charged to the residents and taxpayers of your community as low as possible.

In order to determine the amount of our costs for any project being prepared now or in the future which will be funded under either of the above cited Acts, we would ask that you contact the writer either by letter or phone at Route 34 and Wyckoff Road, Wall Township, New Jersey 07719, Telephone No. 988-2800, extension 336.

Very truly yours,

NEW JERSEY NATURAL GAS COMPANY


Charles H. Schanck, Jr.
Manager of Operations

CHS:jp

cc: Municipal Engineer
Business Administrator

TOWNSHIP OF MARLBORO - REGULAR MEETING

OCTOBER 19, 1978

The meeting was called to order at 8:11 P.M. by Council President Croddick. After the salute to the flag, the Clerk called the roll. All Councilmen were present.

Also present were Township Attorney, Herbert B. Bierman, Business Administrator, Richard M. Cardillo and Mayor Arthur Goldzweig.

The Council President read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Daily Register on February 9, 1978; posted on the bulletin board of the municipal offices; and filed in the office of the Clerk.

Council President Croddick announced that bids were received in the following categories: Road Department Equipment, Road Department Vehicle Radios, Communications for the new Municipal Complex (Police Department and Administrative), Rock Salt and Electrical Inspection Services. The Council President read the name of each bidder and the prices of the equipment or service being offered. He then called for a motion that the bids be turned over to the proper individuals (the Business Administrator and the Township Engineer). The motion was made by Councilman Vuola, seconded by Councilman Grossman and carried unanimously on the roll call vote.

Citizen's Voice

Mrs. Mary McFadden of 89 School Road West inquired whether the Mayor had received a reply to his letter to the State regarding the neglect of the Strip of land at the rear of her property and alongside Route 18. Mayor Goldzweig said that he has not received an answer yet and that as soon as he does he will have a copy delivered to Mrs. McFadden. The Council President and the Township Attorney both said they had not received responses to their letters to the State on the same subject.

Mr. Myles Hart of Route 79, Morganville, complained about the noise of the fire siren located on a pole near his house. He passed around snapshots of the location and submitted to the Council President a recent letter, attached and made a part hereof, from a Morganville First Aid volunteer explaining the need for the siren during the years of the 1960's. Mr. Hart said the First Aid Squad does not need the siren now and it is used by the Fire Department which has radios and ought not to require this siren. He wants Council to have the siren removed because it is very disturbing to him and his family and others living in the area. He believes it is a health hazard. Attorney Bierman said Council does not have the authority to remove the siren.

Councilman Vuola suggested that Council write to the Fire Departments in Morganville to find out why they need this particular siren. He is prepared to eliminate the siren.

Both Mayor Goldzweig and Attorney Bierman said they appreciate the problem. Mr. Bierman repeated that Council has no authority to tell a Fire Company to eliminate a siren. Fire equipment is under the jurisdiction of the Fire Company.

Council President Croddick said we must invite the Fire Commissioners to the next caucus meeting as well as the Fire Officials of Fire District No. 3..

Mr. Bierman referred to the statute providing for the organization of independent fire companies. Once such a company is organized, it is, indeed, independent and Council cannot tell it what to do.

Mr. Hart, who has been in touch with Mr. Bierman for some time on this matter, said his own attorney believes that Mr. Bierman is not correct on this point. Council President Croddick asked Mr. Hart to have his attorney call Mr. Bierman at his office.

Steve Hoch of 4 Ottawa Road North talked about the committee which he formed to investigate recent utility rate increases, especially the water rates set by Central Jersey Water Company, owned by U. S. Home Corporation. There were about seventy people present at the meeting held a week ago in this room. They are opposed to the 9% increase in the water rates and they will picket U. S. Homes on/Sunday from 9:30 A.M. to 3:30 P.M. He said that Judge Bierman sent a letter to the PUC based on Council's resolution objecting to the increase. He wondered whether an answer had been received.

Council President Croddick deferred to Mayor Goldzweig who said he could answer some of the questions. He said that last Monday they did take water samples at some homes, but not at the plant. They made a test at a home in Whittier West where the quality of the water had been reported poor. They said they would have the results of these random samplings because it would take that much time to run through the laboratory. If we do not get the results tomorrow, we will call the water company. Perhaps we can get Mr. Jargowsky down.

He then talked about the stop-orders placed on all U. S. Home construction. This action was not linked to the water rate increase but to the builder's failure to restore the area after putting in a sewer line. The stop-orders suspended all their building permits. Within 24 hours of the issuance of these orders, the problem was solved. U. S. Home cleaned up the area, did some planting of trees and took care of some soil erosion. As soon as this work was done, their building permits were restored. The builder also got three summonses that day and will have to appear in Municipal Court. The Mayor said it is too bad that this is the kind of approach one must use with U. S. Homes. He believes they do have an obligation to the community and they should cut back the water rates.

The Mayor stated that there has been no reply to Mr. Bierman's let-

ter to the PUC. He wants to hear from them before considering other avenues. A lawsuit might be appropriate if the PUC does not help.

Councilman Grossman suggested that Mr. Bierman might call the Commission to inform them we are awaiting their response in this urgent matter. The Councilman does not believe there is any justification for that large increase and he is concerned about the Commission's failure to reply.

Councilman McClung addressed himself to Mr. Hoch saying that the MUA has considered purchasing the Central Jersey Water Company. But the owner, U. S. Homes, wants too much money. A figure of between one million and \$750,000 has been mentioned. He said we must consider what this company would be worth to the MUA per customer. As the Councilman understands it, some of the piping is holding up better than other sections. The system is getting older, and now U. S. Homes is trying to cover their expenses. To date, they have not made money on this system.

Mr. Hoch said he appreciates what Council has tried to do by passing a resolution against the increase. But he feels that some pressure must be put on Central Jersey, perhaps at the Planning Board level, through action on U. S. Homes applications.

Councilman McClung said that Gordon's Corner Water Company, which has the ability to produce water, has indicated it might like to sell. He said that the Council President, a Commissioner on the MUA, is getting a feasibility report soon. This becomes a more expensive procedure; and Councilman McClung asked how much we can bond for.

Councilman Grossman stated that we must not fall into the trap of buying that water company just to lower rates.

Administrative Report

Mayor Goldzweig said he had just received a letter approving the fourth year project to be built with \$75,000 of Community Development Administration funds. This will be the Community Center in the Texas Road-Greenwood Road area.

The WMUA has recently announced that the Federal Government has approved an increase of \$764,000 in the grant for the Morganville Collector System. This brings the total grant to \$5,462,938. Of this eight per cent is State funding which will bring the project a bit closer to a break-even point. The Mayor said he hopes that the Bay-shore rates will not increase much. The sewer project is progressing very well. The contractor is most cooperative in every way. The two police officers directing traffic are not on the township payroll but are paid by the contractor out of this grant. Driving in the

construction area will be inconvenient for a year or so, but, the Mayor continued, that is the price one must pay. The contractor is on schedule.

Council President Croddick stated that many people have criticized public officials for their long battle in behalf of this sewer system. He said it is not an easy task for an elected official to fight all the red tape of bureaucracy in order to prove a point. But Council stuck by its guns and took this case through every court so that the Morganville system might become a reality. He said we have now received additional money for the project from the Federal Government. He congratulated the members of Council for proceeding in the face of Manalapan's efforts to defeat the project. The sewer will benefit the northern part of town.

Western

The Mayor said that the Monmouth Transportation Board was meeting in Freehold tonight with Mr. Gilhooly, President of Transport of New Jersey. They are delivering to him a letter from the Mayor concerning the establishment of a real park and ride facility, express service to and from Marlboro, and other matters designed for the benefit of the town's many commuters. One of these would be a shelter where tickets could be purchased, coffee and newspapers bought. Mayor Goldzweig said his letter takes a positive approach to commuter problems, and it will be delivered to Mr. Gilhooly tonight, with a copy being sent to the State Department of Transportation.

Councilman Grossman asked the Mayor for copies of his appropriations reports. He inquired whether there would be any problems with budget transfers of November first.

Mayor Goldzweig continued with his Administrative Report by reading a proclamation making October 19th B'Nai Brith Week in honor of the founding of this great organization on October 13, 1843.

The Mayor proclaimed October 24th United Nations Day, to honor the anniversary of the establishment of the United Nations 33 years ago.

This completed the Administrative Report, and Council President Croddick then turned to the legislative part of the Agenda.

Councilman Vuola introduced Resolution #306-78:

WHEREAS, the Board of Education of the Township of Marlboro has petitioned the Commissioner of Education of the State of New Jersey pursuant to N.J.S. 18A:13-55 et seq. to permit the withdrawal of the Board of Education of the Township of Marlboro from the limited regional school district of Freehold Regional in the County of Monmouth; and

WHEREAS, pursuant to a Resolution of the Board of Education of the Township of Marlboro, the Monmouth County Superintendent of Schools has made an investigation as to the advisability of the withdrawal of the Township of Marlboro from the Freehold Regional School District; and

WHEREAS, the County Superintendent has outlined and summarized the advantages and disadvantages of the proposed withdrawal; and

WHEREAS, it is the opinion of the Township Council of the Township of Marlboro that the advantages to the high school residents now and in the future far outweigh any disadvantages or concerns relating to the proposed withdrawal;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro support the position of the Board of Education of the Township of Marlboro in their efforts to withdraw from the Freehold Regional School District.

2. That the Township Council of the Township of Marlboro recommends and urges the Commissioner of Education of the State of New Jersey to permit the withdrawal of the Township of Marlboro from the Freehold Regional School District and, thereafter, establish, maintain and conduct high school education within the boundaries of the Township of Marlboro.

3. That the Township Clerk is authorized and directed to forthwith forward a copy of this Resolution to the Commissioner of Education of the State of New Jersey, the Secretary of the Board of Education of the Township of Marlboro, the Secretary of the Freehold Regional School District and the Secretary of the Boards of Education in Colts Neck Township, Englishtown Borough, Farmingdale Borough, Freehold Borough, Freehold Township, Howell Township and Manalapan Township.

The resolution was seconded by Councilman McClung after which the Council President called for discussion.

Councilman Klau said that this resolution should put everyone on notice that this Council stands behind the School Board in its efforts to better the education of the children in Marlboro. As a Council, he said we will do everything in our power to help achieve that goal.

Councilman Vuola said he hopes we can separate from the Regional Board. He suggested that Council have a representative to the Regional Board to find out what people are doing and thinking in other towns.

Mayor Goldzweig said he had discussed with Councilman Grossman his fear that we were undertaking too much financial obligation in this withdrawal. He wants to report that he has had a follow-up meeting with our School Board and is convinced that the additional burden will be nominal. Even though we will have to absorb twenty per cent of the liabilities of the Regional District, our taxes will increase by only 7 cents. The Mayor believes it is a small price to pay to control our own destiny.

Councilman McClung the withdrawal from the Regional District would mean that local residents would control education from Kindergarten through 8th grade through High School. This is an excellent buy at the price we will have to pay. Nothing is more precious than our children.

Councilman Grossman supports the resolution but raises a question to Township Attorney Bierman. He said that the township received copies of the Marlboro Board of Education petition to the State, and this petition requires an answer from the township. He asked whether the resolution under discussion constitutes an answer.

Attorney Bierman said it does not and that he has prepared a reply.

Since there was no further discussion, the Council President asked that the roll be called for the vote. The resolution was adopted unanimously.

Councilman Klau introduced Resolution #307-78:

WHEREAS, the Township Council of the Township of Marlboro is interested in preserving the history and tradition of the United States of America; and

WHEREAS, there presently exists a very real threat to the foundation upon which America was built, in the form of a movement and a law suit to have the words "In God We Trust" removed from United States currency; and

WHEREAS, the United States Constitution and even the oath of office taken by the members of this Council speaks of God; and

WHEREAS, the foundation of the United States of America was built upon a belief in God, a fact which is supported by most historical data, and the words "In God We Trust" were put on United States currency as a result of this belief;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that this Council hereby reaffirms the foregoing facts and opposes any attempt to remove the words "In God We Trust" from United States currency.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to all other municipalities in Monmouth County and to the State and Federal Legislators who represent the voters of the Township of Marlboro.

The resolution was seconded by Councilman Vuola who said he had requested it because every six months some new group attempts to erode the fabric of our society. The resolution was adopted unanimously on the roll call vote.

Councilman Grossman introduced Resolution #308-78:

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

Ordinance #27-78
AN ORDINANCE CHANGING THE NAME OF
TRUDEAU COURT IN THE TOWNSHIP OF
MARLBORO, MONMOUTH COUNTY, TO AL-
BERTA DRIVE IN THE TOWNSHIP OF
MARLBORO, MONMOUTH COUNTY

be introduced and passed on first reading and that the same be advertised according to law; and BE IT FURTHER RESOLVED that the same be considered for final passage on November 9, 1978, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

The resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote. The Council President explained that this ordinance was being passed at the request of the Post Master.

Councilman McClung introduced Resolution #309-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Minutes of the meeting of September 14, 1978, are hereby approved as corrected.

It was seconded by Councilman Vuola. Discussion followed in which Councilman McClung read a prepared statement criticizing certain portions of the minutes. The Council President stated that this statement could be attached to the minutes which had been submitted as corrected for approval. The Township Attorney said Council must vote as to whether it will accept Councilman McClung's suggestions. He said there must be some orderly procedure. Mr. McClung said he wanted the minutes changed in accordance with each point in his prepared statement.

Councilman Grossman said we should consider one change at a time. He asked Mr. Bierman where we stand with Point 3, assuming that Robert's Rules of Order were not properly followed. Mr. Bierman said that if a procedure is used and not challenged, it is acceptable. There is nothing (in the minutes) to be changed. All that need be done is to attach Councilman McClung's memorandum to the September 14th minutes when they are accepted.

Councilman Klau stated that with regard to Point 3 of the memorandum, no change is to be made in the minutes. The memorandum can be made a part of the minutes.

Councilman Vuola said Councilman McClung would like to change his affirmative vote on Ordinance #24-78, which has amended the residency requirement of the Administrative Code. This should be possible, since he acknowledged his mistake before the gavel fell. Councilman Vuola said his colleague is entitled to have the record changed.

Attorney Bierman said he feels that Councilman McClung acted in a timely manner to change his vote on Ordinance #24-78 and that his vote should be changed to negative in the records. The Councilman's request should be honored. This is especially true since it would not change the final vote.

Council President Croddick said that he would yield to the opinion of the Township Attorney; but that he wants Councilman McClung to pay more attention to the proceedings in the future.

Councilman McClung then made a motion to accept the minutes in their corrected form, in accordance with his memorandum. The motion was seconded by Councilman Grossman. Councilman Vuola asked Mr. Bierman whether this was in order and Mr. Bierman said it was. The roll call vote by which the motion was passed was as follows: Councilmen Grossman, Klau, McClung and Vuola, Aye; Council President Croddick, Nay.

Councilman Vuola introduced Resolution #310-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby authorized to list in tax sales for the Township those persons and properties that have failed to pay their sewerage charges to the Western Monmouth Utilities Authority.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #311-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby authorized to list in tax sales for the Township those persons and properties that have failed to pay their water charges to the Marlboro Township Municipal Utilities Authority.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Grossman introduced Resolution #316-78:

BE IT RESOLVED that the Township Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law: POLICE CARS. (See specifications attached.)

It was seconded by Councilman Vuola and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #317-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that F. J. Ientile of Boundary Road, Marlboro, New Jersey, is determined to be the lowest responsible bidder covering the following work, labor and/or materials: Marlboro Village Sewer System, Base Contract - Section 1.

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Business Administrator be and the same is hereby awarded to F. J. Ientile on their bid of \$34,406.50.

BE IT FURTHER RESOLVED that the proper Township Officials be and the same are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The resolution was seconded by Councilman Vuola after which there was some discussion. Councilman Klau asked which professional recommended Ientile for this work. The Council President said the recommendation had been made by Schoor Engineering. Councilman Vuola explained that \$53,000 for these sewers comes from the Community Development Administration. About the same amount will come from the capital improvement program of the township. He said he hoped we would get another grant to continue the sewers on the westerly side of the street.

Councilman Grossman said he would like to speak on this resolution. He would like more documentation on it. Attorney Bierman said there is a two-page report from Schoor Engineering recommending that this bid be accepted.

As there was no further discussion, the Council President asked the Clerk to call the roll. The resolution was adopted unanimously on the roll call vote.

Councilman Klau introduced Resolution #318-78:

BE IT AND IT IS HEREBY RESOLVED: That the Township Council is hereby designated as a committee of the whole to investigate allegations concerning a Commissioner of the Marlboro Township Municipal Utilities Authority in relation to his compliance with the requirements of Section 10.10 of the Administrative Code as well as other conflicts in interest.

It was seconded by Council President Croddick.

Councilman McClung asked what Council is investigating. Two subjects were mentioned at caucus. One was the disclosure affidavit. He said that many other people have not filed disclosure statements, such as the Road Department, Recreation Staff, members of the Legislative Advisory Committee and others. The Councilman asked to amend the above resolution to include many other people. Councilman Vuola supported this action.

Councilman Klau said that since Monday night other allegations of conflict of interest have been reported and will be investigated.

Council President Croddick asked Mr. Bierman whether the proper procedure was to bring everything up at the caucus meeting. Mr. Bierman replied that such is the procedure adopted by this Council many years ago. The Council President then asked whether Councilman McClung's motion to amend the resolution was in order. The Attorney said it was if agreed to by the people sitting at this table. The Council President then said that there is a motion on the floor made by Councilman McClung and seconded by Councilman Vuola. Councilman Grossman asked what the amendment would do. The Council President said there were certain allegations brought up at caucus and an investigation thereof is on the agenda in the form of this resolution No. 318-78. Since then, Councilman McClung said he has looked into the matter further and he wants to amend the resolution at this point. The Council President's recommendation would be for him to bring it up at a caucus meeting and then put it on the agenda, as a separate resolution.

Councilman Grossman asked Mr. Bierman whether the Council was within its prerogatives now with regard to this investigation; or should the initiative come from the Municipal Utilities Authority. The Township Attorney replied that Council can investigate anything it wishes to, anything it sees fit. There is no legal impediment to this investigation. The MUA might do whatever it wants to do in the matter. If anyone, either at this table or outside, has any information he feels is in violation of the law, he would have the right to take that information directly to the County Prosecutor. To

answer Councilman Grossman specifically, the Attorney continued that this Council has the right to investigate. It has been the policy in the past for Council to designate itself a Committee of the Whole for the purpose of conducting an investigation. That is why the resolution is written the way it is. There are no charges against the individual.

Councilman McClung said that a sense of fairness and decency ought to apply to everyone in this township. He questions the fairness of the resolution.

Councilman Klau said that Councilman McClung has not read the resolution carefully enough. The resolution refers not only to disclosure affidavits, but also to conflicts of interest. He said that the township is a million dollar business and that Council should look into this and come to some conclusion.

Councilman Vuola said that the resolution makes no mention of the name of the party being investigated. Nor does it include the name of the person making the allegations to be investigated. He agrees with Councilman Grossman that we are specifically going after one person when we know there are a number of violations of the disclosure requirement. He stated it is wrong to pick on just one person. He said it took Councilman Klau three years to find out that this man is in conflict. He said Council should name that person if it is going to investigate him.

Council President Croddick said he wanted to clarify the matter. He stated that many time Councilman Vuola had brought matters to the attention of Council because something became known to him which he felt required an investigation. Councilman Vuola denied this. The Council President said he was referring to the investigation of himself that had been requested.

Councilman Grossman asked whether Council could ask the individual in question to come to a closed session for the purpose of answering certain questions and having certain things discussed. The Township Attorney said that Council could ask, but that the person would not have to come if he did not want to.

Councilman Klau said that the person should be put under oath which cannot be done in a caucus meeting.

Councilman Grossman questioned whether Council has to go that far if it can accomplish the same thing in a closed session.

Attorney Bierman said Council has the authority to extend the invitation. The result will depend upon the cooperation of the person.

Councilman Vuola said that he agrees with Councilman Grossman that Council can have a closed caucus session. He will second any motion the Councilman cares to make calling for a closed session.

Councilman Grossman said he brought up this possibility of closed session to try to determine whether certain allegations are true. Suppose they are true. What will the ultimate position of Council be? Are we looking to trap someone to induce him to resign? He asked this question of the Township Attorney: in an investigation procedure, if all taking part are informed, is anyone subject to libel or slander by the accused?

Mr. Bierman said the question is difficult to answer because we do not know what might be released at such a meeting. As a member of Council you have a general immunity, but it is limited. This question cannot be answered in the abstract. It can only be answered in the light of specific language and what was said and to whom it was said and with what intention. There is such a thing as slander even in closed session, depending upon motivation, etc.

Councilman Grossman said that we have to do what is right. We are talking about conflict of interest. This particular resolution may be premature. He said he would move to call the MUA Commissioner in and say we have information that we do not like which we want to discuss with him. If there is no cooperation, then we can move for a more formal investigation. Councilman Grossman concluded that we have to move carefully.

Councilman Vuola said there is another issue to think of, namely, that this resolution becomes a matter of record. This should not be on his record until we can substantiate charges. It is wrong to put a label on a person before we know whether he is guilty or not guilty.

Councilman McClung agrees with Councilman Grossman that, as a matter of common decency, the individual should be invited in and talked to about the things we are hearing. If there is a problem, then we can have an investigation.

Councilman Grossman said Council should be consistent. A previous matter of this nature was handled at a private caucus and dropped for lack of evidence. Council still retains the right to take action and it may take longer. He urged Council to take its time. If we want the resignation of the particular individual, he may resign anyway.

Council President Croddick said there was much discussion here tonight about being fair. He recalled that a year and a half ago, there was a similar situation but no investigation. The matter was not handled properly. The individual went to court and won his case and then resigned. The Council President asked the proper way to proceed in the current matter. He now thinks that passing the resolution before Council is not correct. If it is the sense of Council to speak to the individual privately first, and then to vote an in-

vestigation, then we can put the resolution back on the table.

Councilman Grossman said that if he had been on Council a year and a half ago, he would have done the equitable thing. Because the person involved did not receive equitable treatment, he went to court.

Mayor Goldzweig reminded the members of Council that this is not solely a council action. People may think it bad. They may wonder what the person has done. Investigation is a serious term. The Mayor thinks that the allegations of last Monday night would justify asking the person in to closed session. He would also like to see a written opinion on disclosure statements. He does not believe the Administrative Code includes members of an Authority. In the present matter, he hopes Council will take a rational course of action.

Councilman Grossman stated that the charges are serious and must be looked into. He made a motion to table Resolution #318-78. It was seconded by Councilman McClung and adopted unanimously on the roll call vote.

Councilman McClung introduced Resolution #319-78:

WHEREAS, from time to time, pursuant to law, the Tax Collector of the Township of Marlboro will sell "Tax Sales Certificates" for the purposes of permitting the sale of any premises on which real property taxes and/or water and sewer rents remain unpaid; and

WHEREAS, during the past several years it has come to the attention of the Township Council of the Township of Marlboro that elected or appointed officials and employees have purchased said Tax Sales Certificates; and

WHEREAS, it is the stated position of the Township Council of the Township of Marlboro that there should not be even the appearance of conflict in the conduct of municipal government; and

WHEREAS, the purchase and holding of Tax Sales Certificates by persons engaged in municipal government may have the appearance of certain conflicts;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. It is the stated policy of the Township Council of the Township of Marlboro that no elected or appointed official or employee of the Township of Marlboro shall purchase or hold either directly or indirectly (indirectly shall include the purchase through members of the municipal agent's family) a Tax Sales Certificate covering premises in the Township of Marlboro.

2. That the Township Clerk shall forthwith forward a copy of this Resolution to every elected or appointed official and employee of the Township of Marlboro and shall post and maintain on the official bulletin board of the Township a copy of this Resolution.

The Resolution was seconded by Councilman Vuola, after which the Council President asked if there were any discussion. Councilman Klau asked the meaning of the word "family" in Paragraph 1. The Township Attorney said that it means those people related by blood or marriage who live in one household.

Councilman Vuola said he had asked for this Resolution. He has seen many appointed and elected officials buying Tax Sale Certificates; and while it is not illegal, it is unethical. It is not right for them to have this information.

The Resolution was adopted by the following roll call vote: Councilmen Klau, McClung, Vuola and Council President Croddick, Aye; Councilman Grossman was absent, having left the meeting in order to catch a plane at Newark Airport.

Councilman Klau introduced Resolution #312-78, the general bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Vuola and adopted by the unanimous vote of the four Councilmen present, Councilman Grossman being absent as noted above.

Councilman McClung introduced Resolution #313-78, the payroll bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Klau after which there was some discussion. Councilman McClung said he had asked that the salary of the Deputy Clerk be subtracted from the general bill paying, but he was informed that the entire payroll had to be subtracted. He said he would have to vote against this resolution because of the inclusion of an illegal salary in it. Councilman Vuola said he feels the same as Councilman McClung about the salary of the Deputy Clerk. He is totally against paying this salary because the Deputy Clerk does not live in Marlboro. But he does not want to prevent people on the staff from getting paid. There are only four Councilmen present now, and if two vote against the resolution, it will fail of passage. He asked Mr. Bierman if voting "yes" would constitute a vote for the salary of Bridget Halliden. Mr. Bierman said the Councilman could vote "yes" or "no" as he wished. He said Mr. Vuola had the right to have the Clerk explain his vote in the minutes of this meeting.

The roll call vote was as follows: Councilman Klau and Council President Croddick voted Aye; Councilman McClung voted Nay; and Councilman Vuola voted Absent. Councilman Grossman had left the meeting as stated above. The vote of "absent" by Councilman Vuola is counted with the majority and it means that the salaries can be paid. It also means that Councilman Vuola is in favor of paying all salaries except that of the Deputy Clerk, Bridget Halliden.

There was further discussion in which Councilman Vuola said he had learned that keeping the Deputy Clerk on the payroll may violate a Federal statute. The matter is being researched.

Councilman Vuola introduced Resolution #314-78, the Swim Club bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on the roll call vote by the four Councilmen present. Councilman Grossman had left the meeting, as noted previously.

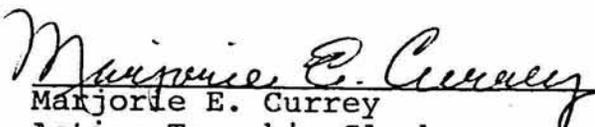
Council President Croddick introduced Resolution #315-78, the bill-paying for the Municipal Complex, a copy of which is attached hereto and made a part hereof.

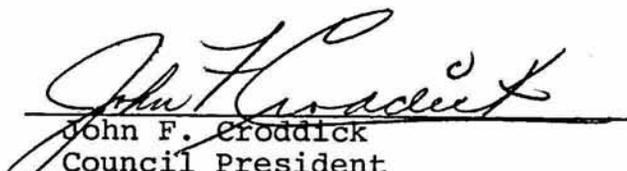
Council President Croddick said he had a question for the Township Attorney. He was riding down Lloyd Road recently and was reminded of the Federal and State money owed to us on the culverts there. Mr. Bierman said that the easements have not been filed. There are one or two more to be obtained.

The Council President said we could really use that \$200,000 in the budget. We need it badly. Mr. Bierman said he would finish the work involved as quickly as possible. Mr. Croddick urged this even if the Township Attorney has to get outside help to do it.

The meeting was adjourned at 11:50 P.M.

Minutes Approved: December 14, 1978


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

RESOLUTION # 312-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED PRIOR TO COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
St. of N.J. Social Security	Payroll Taxes	40,857.82	18024
St. of N.J. S.S. Admin. Fee	" "	10.00	18025
C.J.B.T.Co.	F.I.T.	6,785.50	18027
Marlb. Twsp. Bd.of Ed.	Local School Tax	242,812.00	18028
Public Assist. Petty Cash	Petty Cash a/c	497.00	607
Marlboro Twsp. Gen. a/c	Cash Transfer	100,000.00	180
TOTAL:		427,296.29	
		390,962.32	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Bd. of Education F.R.H.S.	Dist. School Taxes	103,164.40	
Morganville Fire Dist. #3	Fire District Taxes	19,080.00	
General G.M.C. Sales Inc.	Reserve for Damage to Vehicles	932.65	
Fred McDowell Inc.	Due from Community Develop Block Grant	34,014.29	
Asbury Park Press	Administration	1,529.48	
Matthew Bender & Co. Inc.	" "	42.50	
Sheraton-Deauville Hotel	" "	44.00	
Bayshore Stationers	Administration 34.56 Sts. & Rds. <u>12.22</u>	46.78	
Iaao	Tax Assessor	45.00	
Joseph LaMura	Tax Assessor	118.20	
STC Computer Service	Tax Assessor	156.34	
General Office Supply Co.	Tax Assessor 23.00 Police <u>87.74</u>	110.74	
Arthur Dennis Loring	Legal Services	877.50	
Be Safe Locksmith	Municipal Court	36.12	
John Daugila	Engineer	10.20	
Planning Board	Planning Board	553.00	
Red The Tailor Inc.	Police 1977	70.45	
Base Automotive Supply	Police	96.00	
Camera Show Place	" "	35.80	
Sgt. G. Lang	" "	55.41	
J. Mazzeo	" "	146.80	
Edward Savoie	Inspections	17.25	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Garden State Elect. Insp. Serv.	Inspections 1977- 1890.50		
	Elect. Inspect. <u>837.50</u>	2,728.00	
Universal Research Co.	Highway Safety	78.00	
Custom Craft Signs	Sts. & Rds.	40.00	
L.D. Seely Co.	Sts. & Rds.	310.25	
Lyncar Corp.	" " "	36.33	
Top Hat Uniform Rental	" " "	335.40	
Bayshore Tire	Equip. Maint.	126.54	
The Cumming Co. Inc.	" "	414.53	
Franklins Garage	" "	10.75	
Harter Equipment	" "	15.04	
Matty's Auto Parts	" "	567.54	
Power Crimp Industries Inc.	" "	18.57	
Van Wickle Auto Supply	" "	6.61	
Shore Tractor Co.	Equip. Maint. 13.10		
	Grds. Maint. <u>126.99</u>	140.09	
Hurricane Fence Co.	Grds. Maint.	625.00	
Williams Trailer Sales	" "	200.00	
J.C.P.L. Co.	St. Lighting 6,791.84		
	Utilities <u>1,420.51</u>	8,212.35	
Gordon's Corner Water Co.	Utilities	63.25	
Kepwel Spring Water Co. Inc.	" "	29.00	
N.J. Bell Telephone Co.	" "	886.44	
N.J. Natural Gas Co.	" "	45.78	
Battleground Maint. Supply Co.	Library	9.70	
Matawan Lumber Co.	Library 7.41		
	Recreation <u>40.14</u>	47.55	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Efinger Sporting Goods	Recreation	3,906.40	
Greenwood Bus Service Inc.	" "	9,679.10	
Steve Hoch	" "	27.64	
Perry's Trophy	" "	91.00	
Ray Croft Dist.	" "	20.60	
Trade Printing	" "	78.80	
Manzo Cont. Co. Inc.	B.O. 11-78	20,981.49	

TOTAL: \$ 210,914.66

OFFERED BY: Klau

AYES: 4

1 Absent

SECONDED BY: Vuola

NAYS:

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

RESOLUTION #313-78

WHEREAS, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers; and

WHEREAS, the Finance Department has submitted a certificate stating that funds have been provided and are available;

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

CHECKS ISSUED PRIOR TO COUNCIL APPROVAL:

Marlboro Township Payroll Account - Net Payroll - \$36,333.97 - Ck. 1802

OFFERED BY: McClung

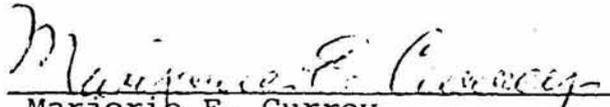
SECONDED BY: Klau

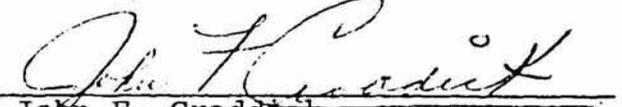
AYES: 2

1 Absent

NAYS: 1

1 Abstained


Marjorie E. Currey
Acting Township Clerk


John F. Croddick
Council President

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

RESOLUTION # 314-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
Atkinson & Smith Inc.	CAPITAL IMPROVEMENT Swim Pool	223.45	
Aqua Trol Enterprises	Swim Pool	35.00	
J.C.P.L.Co.	" "	182.65	
N.J. Bell	" "	19.09	
Monmouth Communications systems	" "	125.00	
Monmouth Gymnastic Academy	" "	26.81	
Morganville Post Office	" "	16.00	
Pool Management Associates	" "	3,960.00	
Raymond Jensen	" "	220.00	
	TOTAL:	4,808.00	

OFFERED BY: McClung
SECONDED BY: Vuola

AYES: 4
1 Absent
NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

RESOLUTION # 315-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Emmanuel Milstein	B.O. 20-77	2000.00	

TOTAL: \$ 2000.00

OFFERED BY: Croddick

AYES: 4
1 Absent

SECONDED BY: Vuola

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick
John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

Date

Treasurer

Affidavit of Publication

Printer's Fee \$.....

MARLBORO TWP.
In accordance with the provisions of the Open Public Meetings Act, notice is hereby given of the cancellation of the regularly scheduled caucus and council meetings of the Township Council of Monday, October 23rd and Thursday, October 26th.
MARJORIE E. CURREY
Acting Clerk
Marlboro Township 183694
(35.50)

State of New Jersey } ss.
MONMOUTH COUNTY

Personally appeared **ARLENE E. SHOWERS** ~~BOOKKEEPER~~

of the Asbury Park Press, a newspaper printed and published in ASBURY PARK, in said County and State, who being duly sworn, depose and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper One (1) times,

once in each issue, as follows _____

October 23

_____ A.D. 1978
Arlene E. Showers

Sworn and subscribed before me this 24th day of Oct

A.D., 1978 Jacqueline A. Rush

JACQUELINE A. RUSH Notary Public of New Jersey
NOTARY PUBLIC OF NEW JERSEY

My Commission Expires August 25, 1981

Affidavit of Publication

Printer's Fee \$.....

State of New Jersey } ss.
 MONMOUTH COUNTY

Personally appeared **ARLENE E. SHOWERS** ~~BOOKKEEPER~~
 of the Asbury Park Press, a newspaper printed and published in ASBURY PARK, in said County and State, who being duly sworn, deposes and saith that, the advertisement of which the annexed is a true copy, has been published in the said newspaper One (1) times, once in each issue, as follows _____

_____ October 23 _____

_____ A.D., 1978
Arlene E. Showers

Sworn and subscribed before me this 24th day of Oct

A.D., 1978

Jacqueline A. Kesh
 JACQUELINE A. KESH
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires August 25, 1981 Notary Public of New Jersey

MARLBORO

In accordance with the provisions of the Open Public Meetings Act, Notice is hereby given of the cancellation of the regularly scheduled Caucus and Council meetings of the Township Council of Monday October 23, and Thursday, October 24.

MARJORIE E. CURRY
 Acting Clerk, Marlboro Twp.
 (55.00) 165947

AFFIDAVIT OF PUBLICATION

Printers Fee, \$ 3.60

State of New Jersey, }
Monmouth County. } ss:

Joan M. Bennett

of Legal Department

of THE DAILY REGISTER, a newspaper
printed and published at Shrewsbury, in said
County and State, who being duly sworn, de-
poseth and saith that the advertisement, of
which the annexed is a true copy, has been
published in the said newspaper one
times successively, once in each week, com-
mencing on the 23 day of Oct.

A.D. 19 78 and continuing in the issues of

.....
.....
.....
.....

Joan M. Bennett

Sworn and subscribed to before me this 26

day of Oct.

A.D. 19 78

Frank S. Soltner

NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 7, 1981

SPECIAL MEETING OF COUNCIL

October 30, 1978

The meeting was called to order by Council President Croddick at 8:00 P.M. Since it was necessary to meet in the Planning Board room, the salute to the flag was omitted.

All five Councilmen were present at roll call. Also present were Township Attorney, Herbert B. Bierman, Mayor Arthur Goldzweig and Joan Czech.

Mayor Goldzweig read the following Notice of Special Meeting:

In accordance with the provisions of N.J.S. 40A: 69-197, I, Arthur Goldzweig, Mayor of the Township of Marlboro, do hereby call a special meeting of the Township Council on Monday, October 30, 1978, at 8:00 P.M. for the purpose of bill paying.

The above notice was mailed to The Daily Register on October 20, 1978; hand-delivered to the Asbury Park Press on the same date; posted on the bulletin board of the Municipal Offices, and filed in the office of the Clerk. It was hand-delivered to all Councilmen on October 20th.

Councilman Klau introduced Resolution #321-78 (bill paying for the Municipal Complex); a copy of which is attached hereto and made a part hereof.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote.

Councilman Vuola introduced Resolution #320-78 (general bill paying), a copy of which is attached hereto and made a part hereof.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote.

On a motion offered by Councilman Vuola and seconded by Councilman Grossman, on which all Councilmen concurred, the meeting was adjourned at 8:15 P.M.

Minutes Approved: December 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
Council President

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED PRIOR TO COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
F.E.R.S.	Employee Payroll Deduct.	3352.71	18029
P.E.R.S.	" " " " " "	312.54	18030
State of N.J. Div. Tax	" " " " " "	1966.67	18031
Sam Evans	Bldg. Trust Fund	300.00	88
Gerd Schormann	" " "	275.00	89
TOTAL:		\$ 6206.92	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Bd. Of Fire Commissioners District # 2	Fire Dist. Taxes	27,250.00	
Marl. Twsp. General Account	Dog License Trust A/C	3,705.73	
Asubury Park Press	Administration	16.35	
Automation Papers Co. Inc.	" "	169.90	
Marjorie E. Currey	" "	6.00	
Bridget Halliden	" "	6.00	
New Jersey Monthly	Administration	18.00	
Martin Spector	" "	29.81	
Sheila Fishkin	Finance	13.80	
Bayshore Stationers	Admin: 21.40 Tax Assessor 102.29 Engineer <u>81.08</u>	204.77	
STC Computer Services	Tax Assessor	117.19	
Battleground Maint. Supply	Pub. Bldg. & Grds.	96.25	
Con Fran Square	" " "	3,375.00	
Raymond Jensen	" " "	115.00	
Marlboro Little League	Zoning Bd. of Adj. Fees	150.00	
Super Service Bus Co.	Senior Citizens	383.00	
Jacob Emmanuel, Inc.	Insurance	1,485.07	
Camera Show Place	Police	9.67	
Red The Tailor	" "	628.80	
Joseph Mazzeo	Police 124.70 Sts. & Rds. <u>85.40</u>	210.10	
John Cavaliere	Inspections	51.30	
Edward Savoie	Inspections	162.30	
Garden State Electric Insp.	Electrical Inspections	1,023.50	

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
General Office Supply Co.	Highway Safety	18.38	
	Police	<u>14.90</u>	33.28
Kenneth Miller	Highway Safety		5.50
Lyncar Corp.	Sts. & Rds.		60.55
Bayshore Tire	Equip. Maint.		553.12
G.M.C. Sales Inc.	" "		167.63
Harter Equipment Inc.	" "		122.38
Jersey Equip. Sales Co.	" "		481.43
Mattys Auto Parts	" "		501.64
W.H. Potter & Son Inc.	" "		146.70
Spragues Oil Service Inc.	" "		4,205.74
Gale's	Grds. Maint.		49.24
Matawan Lumber Inc.	" "		25.20
Shore Tractor Co.	" "		33.20
Marlboro Blue & Gold	Drug & Alcohol		25.00
Associated Humane Societies	Dog Regulation		468.00
Eccolo Designs Inc.	Recreation		2,263.99
MASCO	" "		875.00
Raycroft Distributors	" "		11.30
N.J. Bell	Utilities		4.11
Public Assistance Trust A/C	Public Assist. State Aid		3,500.00
Manzo Cont. Co.	Sts. & Rds.	80.00	
	B.O. 11-78	<u>6,199.50</u>	6,279.50
Haskins & Sells	B.O. 11-78		3,275.00
Fox Equipment Co.	B.O. 18-75		88.60
		TOTAL:	\$ 62,403.65

OFFERED BY: Vuola

AYES: 5

SECONDED BY: McClung

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

10/20/78

Date

Sheila Fisher
Treasurer

RESOLUTION # 321-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Dan McCarron & Son	B.O. 20-77	80,534.70	
Electric Construction Corp.	" " "	11,610.00	
M.&R. Mechanical Contractors	" " "	32,596.20	
Testwell Laboratories Inc.	" " "	610.00	

TOTAL: \$ 125,350.90

OFFERED BY: Klau

AYES: 5

SECONDED BY: Grossman

NAYS: 0

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

10/20/78
Date

Sheila Fishpin
Treasurer

TOWNSHIP OF MARLBORO - REGULAR MEETING

November 9, 1978

Council President Croddick called the meeting to order at 8:05 P.M. After the salute to the flag, the Clerk called the roll. Present were the Council President and Councilmen Grossman and Klau. Councilmen McClung and Vuola were absent.

Also present were Township Attorney, Herbert B. Bierman, Business Administrator, Richard M. Cardillo, and Acting Clerk, Marjorie E. Currey. Mayor Arthur Goldzweig and Auditor, John Collins, and Councilman McClung arrived at about 8:20 P.M.

Council President Croddick asked if there were any bids for police cars. The Business Administrator said he had received one from West Side Ford. As there were no other bids, the bids were closed.

The Council President read the following Announcement of Meeting:

Pursuant to the provisions of the Open Public Meetings Act, notice of this meeting was sent to the Asbury Park Press and The Daily Register on February 9, 1978; posted on the bulletin board in the Municipal Offices; and filed in the office of the Clerk.

As no one had signed up for the Citizen's Voice, the Council President announced that it was closed.

Councilman Klau introduced Resolution #320A-78 (Ord. #27-78):

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

AN ORDINANCE CHANGING THE NAME OF TRUDEAU
COURT IN THE TOWNSHIP OF MARLBORO, MONMOUTH
COUNTY, TO ALBERTA DRIVE IN THE TOWNSHIP
OF MARLBORO, MONMOUTH COUNTY

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman Grossman. The Council President asked if anyone wished to speak concerning this ordinance. Since no one present had anything to say, the Public Hearing was closed.

The Resolution was adopted on the following roll call vote: Councilmen Grossman, Klau and Council President Croddick, Aye; Councilmen McClung and Vuola were not present.

Council President Croddick introduced Resolution #321A-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Plenary Retail Consumption License No. C-3, owned by La Collina, Inc., be transferred from the owner's present location at Route 520 and Conover Road, in the Township of Marlboro, to its new location on the west side of Conover Road approximately 700 feet north of Pleasant Valley Road, designated on the tax map of the Township of Marlboro as Block 46, Lot 4.

BE IT ALSO RESOLVED that the Affidavit of Publication of Notice of this transfer be and is hereby made a part of this Resolution; and that the transfer shall become effective upon the actual removal of La Collina, Inc. from its present location to its new location as described above.

It was seconded by Councilman Klau and adopted on the following roll call vote: Councilmen Grossman and Klau and the Council President, Aye; Councilmen McClung and Vuola were not present.

Council President Croddick said that the next Resolution was one on budget transfers. He asked if Mayor Goldzweig would explain the subject.

Mayor Goldzweig said he had obtained copies of the Emergency Temporary Resolutions passed by Council in January and March of this year. He said these were emergency appropriations to the temporary budget, and that we did not change the permanent budget to reflect the incredible amount of snow we had last winter. The first Emergency Temporary for \$35,000 should have meant an increase to our permanent budget of \$25,000. If we did not increase the permanent budget, this money has not found its way into that budget. The figures in these two Resolutions would not automatically have increased the permanent budget.

Both the Mayor and Councilman Grossman asked Auditor, John Collins, about this. Mr. Collins said he was not sure whether these Resolutions had been added to the permanent budget. He does know that the amount of the final budget was greater than that of the temporary budget. Mayor Goldzweig reviewed the amounts and purposes of the two Emergency Temporary Resolutions, most of which related to snow removal and road repairs.

Councilman Grossman inquired how we get the answer to the question originally posed by the Mayor. Mayor Goldzweig said he can consult the permanent budget, which he does not have here. Mr. Collins said we can compare the original budget request with the budget as finally adopted.

Councilman Grossman asked what the conclusion should be if the permanent budget was increased by the amounts in the two Emergency Temporary Resolutions. Mr. Collins' reply was not audible. Councilman Grossman said that the conclusion must be that a request for a transfer then means that the department is asking for more money. Mr. Collins agreed this was a fair statement.

At this point, Mayor Goldzweig and Councilman Grossman went over the figures in the permanent budget and the budget transfers which are being requested in a special Resolution to be introduced tonight. After a few minutes of research, Councilman Grossman stated that he and the Mayor had discovered that the Emergency Temporary Resolutions had not been added to the permanent budget, but were just used to fund the temporary 1978 budget. So while he believes the budget transfers are justified, if we can save a few thousand dollars by not transferring everything . . .

The Mayor said that the Business Administrator had been instructed to build up that surplus. Councilman Grossman said that does not mean he has to blow it. The Mayor said "make him justify it."

Council President Croddick said that he would continue with the next Resolution while the Mayor and Councilman Grossman made a further comparison of figures.

The Council President introduced Resolution #323-78:

BE IT RESOLVED that McDonald's Pro Shop, 642 Highway 35, Neptune, New Jersey, 07753, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: LARGE STANDING GAMES AND ACCESSORIES INDIVIDUALLY PRICED AS PER SCHEDULE A ATTACHED; that the bid prices covering the said materials are now on file with the Township Business Administrator and the contract for the same is hereby awarded to McDonald's Pro Shop on their low bid as per Schedule A attached.

BE IT FURTHER RESOLVED that the Proper Township Officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote by the four Councilmen present.

Councilman Klau introduced Resolution #324-78:

BE IT RESOLVED that Yardville Supply Company, P.O. Box 8427, Trenton, New Jersey, 08650, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: ROCK SALT.

That the bid price covering the said material is now on file with the Township Business Administrator and the contract for the same is

now on file with the Township Business Administrator and the contract for the same is hereby awarded to Yardville Supply Company on their low bid of \$28.77 per ton for 550 tons, for a total of \$15,823.50.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote by the four Councilmen present.

Council President Croddick introduced Resolution #325-78:

BE IT RESOLVED that A. S. Gilbert, Inc., P.O. Box 338, Kingston, New Jersey, 08528, be and they are determined to be the only bidder to meet all of the specifications for the following work, labor and/or materials: 2 Good Roads E-Z Salt Spreaders.

That the bid price covering the said equipment is now on file with the Township Business Administrator and the contract for the same is hereby awarded to A.S. Gilbert, Inc. on their bid of \$9,998.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Grossman informed the public that the Township Engineer was, from this date on, supplying each Councilman with a spread-sheet or chart giving the specifications of equipment being purchased, the names of suppliers who bid, and a clear indication as to whether the specifications were met by the various bidders.

Councilman Grossman introduced Resolution #326-78:

BE IT RESOLVED that Shore Tractor Company, R. D. #1, Route 9, Freehold, New Jersey, 07728, be and they are determined to be the lowest bidder covering the following work, labor and/or materials: One 1979 Ford 3600 Tractor with Triumph Model #3500 Sickle Bar.

That the bid price covering the said equipment is now on file with the Township Business Administrator and the contract for the same is hereby awarded to Shore Tractor Company on their low bid of \$8,595.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by the Council President and adopted on the roll call vote as follows: Councilmen Grossmen, Klau and Council President Croddick, Aye; Councilman McClung voted Absent.

Councilman Klau introduced Resolution #327-78:

WHEREAS, the Township Council of the Township of Marlboro is interested in making available to the residents of the Township of Marlboro cable television service;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That all persons interested in providing cable television service to the residents of the Township of Marlboro are hereby requested to submit their proposals for such service to the Business Administrator of the Township forthwith.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Grossman said that he had seen a recent ad placed by Aberdeen Township listing a number of companies which can provide the service and which may not see our ad. He said he would give the names to the Clerk so she can write to them of our interest in cable television service.

Council President Croddick introduced Resolution #328-78 (Ord. #28-78):

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

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE RELATING TO THE ORGANIZATION AND ADMINISTRATION OF THE GOVERNMENT OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, PURSUANT TO MAYOR-COUNCIL PLAN E OF THE OPTIONAL MUNICIPAL CHARTER LAW (N.J.S.A. 40: 69A-68 through 73) TO THE EXTENT NOT OTHERWISE PROVIDED BY SAID OPTIONAL MUNICIPAL CHARTER LAW, BY THE STATUTES OF THE STATE OF NEW JERSEY, AND BY THE ORDINANCES OF THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on December 14, 1978, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by Councilman Grossman after which there was some discussion.

Councilman Klau pointed out the changes in the Administrative Code spelled out in this Ordinance: 1) the Environmental Commission; 2) the holiday schedule for township employees; and 3) the procedure for bill paying. He is interested in the establishment of an Environmental Commission and the Administrative Code must be amended before this can be accomplished.

Councilman McClung asked Mr. Bierman whether this Ordinance is in compliance with Faulkner Plan E. Mr. Bierman replied that Faulkner Plan E sets up departments, not commissions. This is the first time we have attempted to introduce a commission since the township adopted the Faulkner Plan.

Councilman McClung asked where the passage of this Ordinance would leave us. Mr. Bierman said it would leave us with an Environmental Commission and the Faulkner Plan in every other respect.

Councilman Klau inquired whether this would be the first time a commission has been formed in Marlboro. The Township Attorney said that it would be the first time.

Councilman Klau recalled that he was a member of an Industrial Commission in the year 1970. He asked whether Marlboro was under the Faulkner Plan at that time. Mr. Bierman said it was not.

Councilman Klau said he thought the township had a Recreation Commission some years back in the early Faulkner days. Mr. Bierman said he does not think the Councilman is correct on this point. He thinks Marlboro adopted the Faulkner Plan as of January 1, 1972.

Councilman Klau said that many townships have Recreation and Environmental Commissions which obtain grants from the State. Such commissions provide a tremendous advantage when it comes to funding.

Councilman McClung asked whether we are procedurally correct in this matter. Mr. Bierman said that as far as he knows the Ordinance he has drawn is correct and that its adoption is procedurally correct.

As there was no further discussion, the Council President asked the Clerk to call the roll. The Resolution was adopted as follows: Councilmen Grossman, Klau and Council President Croddick voted Aye; Councilman McClung voted Absent. Councilman Vuola was not present at the meeting.

Councilman Grossman introduced Resolution #329-78 (Ord. #29-78):

BE IT RESOLVED by the Township Council of the Township of Marlboro

that an Ordinance entitled:

AN ORDINANCE TO ESTABLISH AN
ENVIRONMENTAL COMMISSION IN
THE TOWNSHIP OF MARLBORO

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

BE IT FURTHER RESOLVED that the same be considered for final passage on December 14, 1978, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Council President Croddick who then asked if there were any discussion.

Councilman McClung said he sees no reason why environmental study has to be in the form of a commission. He is not sure Councilman Klau is right about this. The same functions might be handled by a group that was not a commission.

The Resolution was adopted by the following roll call vote: Councilmen Grossman, Klau and Council President Croddick, Aye; Councilman McClung, Absent. As mentioned above, Councilman Vuola was not present.

Councilman Klau introduced Resolution #330-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the regularly scheduled meeting for Thursday, November 23, 1978, is hereby cancelled, and the Township Clerk is authorized and directed to file the necessary and appropriate "Sunshine Notices" as required by law.

It was seconded by Councilman Grossman adopted unanimously on the roll call vote of the four Councilmen present.

Council President Croddick introduced Resolution #331-78 (Ord. #30-78):

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

AN ORDINANCE VACATING AN UNNAMED LANE
RUNNING FROM MOORE ROAD IN THE TOWNSHIP
OF MARLBORO, COUNTY OF MONMOUTH, NEW
JERSEY

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

BE IT FURTHER RESOLVED that the same be considered for final passage on December 14, 1978, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Grossman introduced Resolution #332-78:

WHEREAS, the Township of Marlboro has heretofore obtained Green Acres approval for a grant for the construction of the Marlin Estates and Nolan Road Parks; and

WHEREAS, the Township of Marlboro has solicited bids for the construction of said parks; and

WHEREAS, on two separate occasions bids were received which were substantially in excess of the engineer's estimates of cost of construction; and

WHEREAS, it has been recommended that the construction of handball courts at the Marlin Estates and Nolan Road Parks be deleted for a saving of approximately \$36,000.00;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township of Marlboro hereby respectfully requests the Green Acres Program of the State of New Jersey to approve the deletion of handball courts at the Marlin Estates and Nolan Road Parks from the plans heretofore submitted and approved by said program;

2. That a copy of this Resolution be forwarded to the Green Acres Program for their immediate attention.

It was seconded by Councilman McClung. Councilman Klau explained that the State had recommended the procedure to be followed in deleting the two handball courts; and the Engineer has been in touch with Mr. Zurich of the Green Acres Program concerning the matter.

The Resolution was adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Klau introduced Resolution #333-78:

WHEREAS, the Township of Marlboro has among its residents many commuters who require safe and efficient traffic flow in and through the Route 9 Corridor; and

WHEREAS, the intersection of U.S. Highway No. 9 and Ernston Road has been a bottleneck and source of great trouble and concern over a period of many years; and

WHEREAS, the New Jersey Department of Transportation in numerous meetings with Mayor Arthur Goldzweig and other representatives of the Township of Marlboro have been aware of the severe congestion and concern of the residents; and

WHEREAS, numerous proposals have been made to the New Jersey Department of Transportation by the Township of Marlboro as well as other communities; and

WHEREAS, the New Jersey Department of Transportation has failed and refused to take action to eliminate the conditions existing at this intersection over a period of many years; and

WHEREAS, the existing condition is deemed intolerable and is severely affecting the environment and the commercial and industrial development of all municipalities along the corridor; and

WHEREAS, the Department of Transportation of the State of New Jersey has indicated it cannot provide any relief to the existing intolerable conditions before 1983; and

WHEREAS, the Township of Marlboro finds this position completely unacceptable;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, that the Township of Marlboro respectfully requests and urges that the New Jersey Department of Transportation take immediate action to alleviate the traffic congestion at the intersection of U.S. Highway No. 9 and Ernston Road; and

BE IT FURTHER RESOLVED that the conditions at the above-mentioned intersection be immediately designated that of an emergency nature and of crisis proportions; and

BE IT FURTHER RESOLVED that the Township of Marlboro joins with the Borough of Sayreville and the Township of Old Bridge in proposing the following steps for relief of said congestion:

1. Re-activation of the Old Camden-Amboy passenger line on the Conrail system mutually bordering the Borough of Sayreville and the Township of Old Bridge for the purpose of providing shuttle passenger service for commuters;

2. Immediate Conrail lands be made available to both municipalities to establish a Park and Ride parking lot.

3. Any and all revenues from the Park and Ride parking lot to be returned to the municipalities.

4. The immediate erection of a passenger waiting station adjacent to the site.

BE IT FURTHER RESOLVED that since there presently exist and are available railroad funds within the State of New Jersey for railroad improvements, the Borough of Sayreville, the Township of Old Bridge and the Township of Marlboro do hereby immediately apply for the relief of environmental and safety problems presently existing on U. S. Highway No. 9; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be forwarded to Governor Brendan T. Byrne; Commissioner Louis Gambaccini, N. J. Dept. of Transportation; members of the Assembly and Senate; Mayors and Clerks of municipalities of Middlesex, Monmouth and Ocean Counties.

The Resolution was seconded by Council President Croddick. As there was no discussion, the roll was called and the Resolution was adopted unanimously by the four Councilmen present.

Council President Croddick introduced Resolution #334-78:

WHEREAS, it has come to the attention of the Township Council of the Township of Marlboro that from time to time various holders of building permits desire to convey the premises covered by said permits; and

WHEREAS, a question has arisen as to whether or not said building permits are or should be immediately transferrable;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro urges and recommends to the Building Inspector that any building permit in full force and effect should be permitted to be transferred to a new owner provided a representation is made to the Building Inspector that no change in the terms and conditions of the building permit shall occur.

2. That the Township Clerk is authorized and directed to send a copy of this Resolution to the Building Inspector forthwith.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Grossman said that the person who brought this matter to the attention of the Council should receive a copy of the Resolution. He also said that the members of Council would like to be apprised of the effect of this Resolution.

Resolution #335-78 was not introduced because Councilman McClung said he had not read the minutes which the Resolution approved. These were the minutes of April 13, 1978 (regular meeting), September 28, 1978 (regular meeting) and October 30, 1978 (special meeting). The Resolution was tabled until the meeting of December 14, 1978.

Councilman Grossman introduced Resolution #336-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Dan McCarron and Son - Contract #1 - Change Orders Nos. (5) and (6); and

WHEREAS, the Township Council has received a recommendation that the change orders be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the changes are necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change orders to the following named contract as more particularly described in the report and recommendation attached hereto.

2. That the price for said work shall not exceed the sum of: Change Order No. (5) - \$799.00; Change Order No. (6) - \$843.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Dan McCarron and Son shall remain in full force and effect. That upon acceptance by Dan McCarron and Son, this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Dan McCarron and Son, with instructions to execute same and return to the Township Attorney's office forthwith.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman McClung introduced Resolution #337-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - John Maltese Iron Works, Inc. - Contract #2 - Change Orders Nos. (2) and (3); and

WHEREAS, the Township Council has received a recommendation that the change orders be approved based upon the facts described in the said

recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the changes are necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change orders to the following named contract as more particularly described in the report and recommendation attached hereto;
2. That the price for said work shall not exceed the sum of Change Order No. (2) - \$142.00; Change Order No. (3) - \$505.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and John Maltese Iron Works, Inc. shall remain in full force and effect. That upon acceptance by agreement between the parties and shall form a part of the above-mentioned base contract.
4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to John Maltese Iron Works, Inc. with instructions to execute same and return to the Township Attorney's office forthwith.

The Resolution was seconded by Councilman Klau and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Klau introduced Resolution #338-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - M & R Mechanical Contractors - Contract #4 Plumbing - Change Order No. (1); and

WHEREAS, the Township Council has received a recommendation that the change order be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.

2. That the price for said work shall not exceed the sum of: Change Order No. (1) - \$800.00;

3. That all of the terms and conditions of the original contract between the Township of Marlboro and M & R Mechanical Contractors shall remain in full force and effect. That upon acceptance by M & R Mechanical Contractors, this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to M & R Mechanical Contractors with instructions to execute same and return to the Township Attorney's Office forthwith.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the four Councilmen present.

Council President Croddick introduced Resolution #339-78:

WHEREAS, in connection with the following named contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Electric Construction Corp. - Contract #5 - Change Orders Nos. (1) and (2); and

WHEREAS, the Township Council has received a recommendation that said change orders be approved based upon the facts described in the said recommendation; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the changes are necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5: 30-14.5;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the

within change orders to the following named contract as more particularly described in the report and recommendation attached hereto;

2. That the price for said work shall not exceed the sum of Change Order No. (1) - \$75.00; Change Order No. (2) - \$315.00;

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Electric Construction Corp. shall remain in full force and effect. That upon acceptance by Electric Construction Corp., this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Electric Construction Corp. with instructions to execute same and return to the Township Attorney's Office forthwith.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the four Councilmen present.

Councilman Grossman introduced Resolution #340-78, general bill paying, a copy of which is attached hereto and made a part hereof. It was seconded by Council President Croddick who then asked if there were any discussion. Councilman McClung said that he could not vote for this Resolution because it includes the Net Payroll for the township which includes an illegal salary for the Deputy Clerk who lives in Colts Neck. The Resolution was adopted on the roll call vote of the four Councilmen present, as follows: Councilmen Grossman, Klau and Council President Croddick, Aye; Councilman McClung, Nay.

Councilman McClung introduced Resolution #341-78, Swim Club bill paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Klau and adopted unanimously on the roll call vote of the four Councilmen present.

Council President introduced Resolution #342-78, Municipal Complex bill paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted on the roll call vote of the four Councilmen present as follows: Councilmen Grossman and McClung and the Council President, Aye; Councilman Klau was absent, having left the room for a moment.

Councilman Grossman introduced Resolution #343-78 (Ord. #31-78):

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

A BOND ORDINANCE PROVIDING FOR SEVERAL
CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF
MARLBORO IN THE COUNTY OF MONMOUTH, NEW
JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF \$575,000.00 THEREFOR AND AUTHOR-

IZING THE ISSUANCE OF \$575,000.00 IN
BONDS OR NOTES TO FINANCE THE COSTS
THEREOF

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

BE IT FURTHER RESOLVED that the same be considered for final passage on December 14, 1978, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

The Resolution was seconded by both the Council President and Councilman McClung.

The Township Attorney then asked the Clerk whether she had the Supplemental Debt Statement. The Clerk replied that she did have it, and she handed it to the Attorney for his examination.

The Council President asked whether there was any discussion. Mr. Bierman stated that note must be made that there is a Supplemental Debt Statement attached to that Bond Ordinance. It will be made a part of the Bond Ordinance.

Councilman Grossman said he would like to ask the Mayor to elaborate on the needs set forth in this Ordinance.

Mayor Goldzweig said that the purpose of the bond ordinance is to enable us to furnish the inside of the new Municipal Complex. About 25% of the money will go to the Communications Center, approximately \$125,000. The next item is an Emergency Generator which is something we should have, at a cost of \$20,000. It means we will have power for the entire Municipal Complex in the event of a power failure. There is \$24,000 for two more detention cells in the police wing, making a total of four such cells. Interior furnishings will require \$50,000. Landscaping will be \$25,000. Permanent seating in the meeting and court room is \$15,000. Special equipment and internal construction is \$15,000. Additional site work is \$50,000, equipment for building is \$59,000; a sprinkler system is \$5,000; preservation of existing homes at the H & L site is \$60,000. There is \$25,000 for a library addition. There is money for a storage shed for the Road Department in the amount of \$15,000. Plectron radios for the Fire Department, \$7,500; furnishings for the Senior Citizen's Center, \$15,000. This brings the total ordinance to \$510,000. The Mayor said he did not know what Mr. Collins has added in the way of statutory costs.

The Township Attorney said that the additional money was added by the

Bond Counsel to cover the Section 20 expenses. Rather than use the full 20% as we have in the past, we rounded off at \$575,000.

Mayor Goldzweig stated that with this money we would be able to furnish completely the Municipal Complex and have it nicely landscaped. And the couple of other small things, such as the library addition, and the Road Department storage shed which can also be used for the storage of recreation equipment; and the \$7,500 for the pletrons, which will enable us to get rid of a siren mounted on a pole, will be of great value to Marlboro and its residents. The pletrons will be used by individual firemen and first aiders. A number of people who live near Route 79 and Tennent Road object strenuously to the noise of the fire horn, and they will be overjoyed to have it eliminated. Since the Senior Citizen's Community Center is being funded by \$75,000 in Community Development Funds, Council has agreed to supply \$15,000 for the interior furnishings. This will give us a beautiful Community Center in town. This Ordinance will enable us to stay away from Trenton for a long time. The Mayor hopes we will not have to ask for an extension of credit for at least another year. This Ordinance should put us in very good shape in terms of capital spending.

The Mayor thanked Mr. Collins for his cooperation in getting the Supplemental Debt Statement done so quickly.

Councilman Grossman asked whether we have an appointment in Trenton. Mr. Collins said we do not have a definite date, but December 4th is the tentative date.

Councilman Klau said he would like to amend the Bond Ordinance to include the money for a Teen Center which had been provided for in a 1973 Bond Ordinance but was never built because the money was spent on something else. The Councilman thinks the amount was \$75,000 or \$100,000. Council President Croddick does not think we used the money, but Councilman Klau believes we did, for either parks or recreation. He thinks the subject of a Teen Center has been lost during the past several years. As our population is growing enormously, he believes it is time we addressed the problem.

Mr. Bierman said that to amend this Bond Ordinance now would require an amendment to the Supplemental Debt Statement. The question is whether or not the Supplemental Debt Statement prepared for this Bond Ordinance is valid if we increase the amount of the Ordinance. Mr. Collins said he could amend the Statement.

Mayor Goldzweig said he was sorry this matter had not been raised at a workshop because we have from time to time talked about a Teen Center. The Recreation people have talked about a Community Center on the H & L site as part of a long range program of recreation. He said that in Bond Ordinance #3-74 there are still some unencumbered funds, of possibly \$80,000. He believes we have encumbered Lloyd and

Nolan. And there is Acquisition of Land and Recreation in the amount of \$26,000 unencumbered; and in another 1973 Ordinance, \$38,000.

There was further discussion among the Mayor, the Council President and Councilman Klau. Council President Croddick said he would have no problem with putting another \$100,000 in the present Ordinance.

Mr. Bierman said that the entire Bond Ordinance would have to be redrawn. The Ordinance, which is a technical Ordinance, was prepared by our Bond Counsel and it is 5 pages long. This would have to be done over again entirely. If Council wants to take the time to have the Ordinance redrawn, Mr. Bierman said it would take about an hour and a half. Also, he would have to obtain the approval of Kraft and Hughes, the Bond Counsel.

Councilman Klau seemed to feel it worthwhile to redraw the Ordinance in view of the fact that we might not be going back to Trenton for another year. Councilman Grossman said he hoped we did not return for two years.

Mr. Bierman said that Councilman Grossman understands the technical requirements of a Bond Ordinance and will agree that redrawing it will take some time. The Attorney said he had no objection to doing this if Council wants to take the time.

Councilman Grossman said he was more concerned about going to Trenton for an item of \$100,000 for which we have no plans. We have no idea of what we want to do. He thinks we will get thrown out on our ear. Speaking to Councilman Klau, he said that if he had a committee report outlining the entire plan which could be presented to Mr. Laezza . . .

Councilman Klau interrupted to ask whether Councilman Grossman would have any objections to going back to Trenton on this within several months, and the Councilman said he would not. Councilman Klau then asked the Council President to form a committee to draw the plans, to address this subject of a Teen Center once and for all. We have been talking about it for five years, as witness the original Bond Ordinance which was passed in 1973. There must be a fixed date for a recommendation from the committee.

Council President Croddick said he had no problem with appointing a committee, using some of our people on the Legislative Advisory Committee and some professional people in the township. He would like to find out if there is \$80,000 left in that Bond Ordinance mentioned earlier by the Mayor. He will appoint a committee at the next caucus.

Councilman Grossman said he would prefer to do this out of current funds if possible.

Mayor Goldzweig said he can let Council know tomorrow about the unencumbered funds from the various Bond Ordinances of the recent past.

As there was no further discussion, the Council President asked the Clerk to call the roll. The Resolution introducing the Bond Ordinance was adopted unanimously by the affirmative votes of the four Councilmen present.

The next Resolution on the Agenda was the Resolution Making Application to the Local Finance Board Pursuant to N.J.S. 40A: 2-7(d). It was read by Township Attorney, Herbert Bierman.

Resolution #343A-78

WHEREAS, the Township of Marlboro, in the County of Monmouth, desires to provide funds in the amount of \$575,000.00 to finance the cost of:

Construction of a new Class Building	- \$425,500.00
Renovation and Remodeling of two frame houses	- 60,000.00
Addition to Existing Library	- 25,000.00

(hereinafter called "purpose") a purpose for which obligations are permitted by the Local Bond Law, and as shown by the supplemental debt statement filed in connection with the Ordinance hereafter described, the Township of Marlboro has exhausted its powers to issue obligations within the debt limitations prescribed by said law, and

WHEREAS, pursuant to N.J.S. 40A: 2-7(d), obligations to finance said purpose may be issued, with the consent of the Local Finance Board in the Division of Local Government, in the Department of Community Affairs, which consent is to be indorsed upon a certified copy as passed on first reading of the Ordinance authorizing such obligations, if said Board is satisfied, and makes the findings required; and

WHEREAS, the Township of Marlboro has passed on first reading an Ordinance entitled:

"BOND ORDINANCE PROVIDING FOR SEVERAL CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$575,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$575,000 BONDS OR NOTES TO FINANCE THE COST THEREOF"

which proposed Ordinance authorizes obligations for said purpose;

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

Section 1. The Township of Marlboro believing that said proposed Ordinance authorizes obligations for a purpose for which obligations are permitted by the Local Bond Law and that the Township's application to the Local Finance Board for its consent shows:

- (a) It is in the public interest to accomplish such purpose;
- (b) Said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Township;
- (c) The amounts to be expended for each such purpose or improvements are not unreasonable or exorbitant;
- (d) The issuance of the obligations in the amount of \$575,000.00 pursuant to such Ordinance will not materially impair the credit of the Township.
- (e) The issuance of the obligations in the amount of \$575,000.00 pursuant to such Ordinance will not substantially reduce the Township's ability to pay punctually the principal and interest on its debts.
- (f) The issuance of the obligations in the amount of \$575,000.00 will not substantially reduce its ability to supply other essential public improvements and services.

The application to the Local Finance Board is hereby approved by the Township Council, and the Chief Financial Officer of the Township of Marlboro is hereby authorized to execute such application together with such other municipal officials as deemed proper.

Section 2. The Acting Township Clerk be and she is hereby directed to prepare and file a certified copy of said proposed Ordinance (as Passed) on first reading with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record by resolution its findings as provided in said subsection of the Local Bond Law and to endorse its consent upon a certified copy of said Ordinance as passed on first reading.

The Resolution, having been read by Township Attorney Bierman, was moved by Council President Croddick and seconded by Councilman

Number	Ordinance	Amount of Bond Anticipation Notes Authorized
20-77	ORDINANCE PROVIDING FOR NEW MUNICIPAL AND POLICE FACILITIES IN AND BY THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,850,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF BONDS AND NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATIONS. finally adopted September 27, 1977.	\$ 1,850,000
11-78	AN ORDINANCE PROVIDING FOR THE CONSTRUCTION AND RECONSTRUCTION OF VARIOUS ROADS IN THE TOWNSHIP OF MARLBORO; THE CONSTRUCTION OF CERTAIN STORM DRAINAGE IN THE TOWNSHIP OF MARLBORO; THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWNSHIP OF MARLBORO.; APPROPRIATING \$1,176,000 FOR SUCH PURPOSES AND AUTHORIZING THE ISSUANCE OF \$1,118,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF. Finally adopted June 22, 1978.	\$ 1,118,000
TOTAL		\$ 3,030,241.13

Section 2. The following matters in connection with the notes are hereby determined:

(a) All notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date;

(b) All notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer;

(c) The notes shall be in the form determined by the Chief Financial Officer and his signature upon the notes shall be conclusive as to such determination.

(d) Notes issued hereunder may be renewed from time to time for periods of not exceeding one year for the time periods specified in, and in accordance with the provisions of N.J.S. 40A:2-8(a).

Grossman. When the Council President called for discussion, Councilman Klau questioned the first item in the Resolution, asking what happens if the building comes in for less. Mr. Bierman said that the town does not have to spend the money. Councilman Klau asked whether any amount left over might be applied to another item and the Attorney said it could not.

Councilman Grossman called the attention of Council to the fact that Marlboro is now required to file a capital budget in addition to an operating budget. The Mayor discussed the new requirement with the Councilman before this meeting. We must submit a six-year capital budget to Trenton. Council used to submit a Resolution simply stating that the township opted not to file a capital budget. We did this as late as this year, but it is no longer permissible.

Councilman McClung asked whether this Resolution requires four votes. He was informed that it took just a majority to pass. However, the second reading of the Bond Ordinance requires four votes and Mayor Goldzweig stated that fact.

The Resolution was adopted unanimously on the roll call vote of the four Councilmen present.

Council President Croddick introduced Resolution #344-78:

This Resolution is entitled RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$3,030,241.13 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO IN THE COUNTY OF MONMOUTH, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the Local Bond Law of New Jersey, Bond Anticipation Notes of the Township of Marlboro, in the County of Monmouth, New Jersey, are hereby authorized to be issued in anticipation of bonds of the Township authorized by virtue of the following bond ordinances in the principal amounts indicated below:

Number	Ordinance	Amount of Bond Anticipation Notes Authorized
12-73, as amended by 9-75	AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF A MUNICIPAL FACILITY-LIBRARY, IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY: APPROPRIATING \$260,000 FOR SUCH PURPOSE AND AUTHORIZING THE ISSUANCE OF \$62,241.13 BONDS OR NOTES TO FINANCE THE COST THEREOF. Finally adopted July 12, 1973, and amended June 26, 1975	\$ 62,241.13

Section 3. The Chief Financial Officer is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution and his signature upon said notes shall be conclusive as to such determination.

Section 4. The Chief Financial Officer is hereby authorized to sell the notes from time to time at public or private sale in such amounts as he may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 5. Any instrument issued pursuant to this resolution shall be a general obligation of the Township and the full faith and credit thereof are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 6. The Chief Financial Officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

Section 7. This resolution shall take effect immediately.

This Resolution was seconded by Councilman Grossman. Mr. Bierman said this authorizes the sale of notes. There is nothing new here, as these are all items that are on the books.

Councilman Grossman said he thought perhaps we had some notes out on this. Mayor Goldzweig said we did not; that we have been funding this out of our own cash. We have now run out. What we will do now is to borrow down a substantial portion, if not all of the three million. Bond Counsel advises that we will fall outside of the arbitrage rules. We are negotiating a loan at approximately five percent and we will earn approximately 10%. That is a pretty good deal for the township, at least on a short-term basis. Bond Counsel has informed us that we can borrow not 1.8 million, but the entire three million. We will earn some additional interest income for the township.

There being no further discussion, the roll was called and the Resolution was adopted unanimously by the four Councilmen present.

The Council President then turned back to the Budget Transfers, Resolution #322-788, which had been discussed but not voted upon early in the meeting. He asked if all Councilmen were satisfied with the explanation of these transfers, a breakdown of which had been sent to each of them yesterday.

Councilman Grossman said he did not have at the workshop all of the documentation he now has with regard to the transfers. He reviewed some of this material and asked several questions which were answered by Mayor Goldzweig and Mr. Collins.

Councilman Grossman then introduced Resolution #322-78:

WHEREAS, certain appropriations in the 1978 Budget have been determined to have insufficient funds for the balance of the budget year, and WHEREAS, N.J.S. 40A: 4-58 allows transfers to be made between line item appropriations from November first through December thirty-first annually;

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made;

FROM:

<u>ACCOUNT</u>	<u>AMOUNT</u>
Administrative & Executive S. & W.	10,500.00
Legal Services & Costs S. & W.	3,300.00
Municipal Court S. & W.	3,000.00
Engineering Services & Costs S. & W.	7,825.00
Public Bldg. & Grounds S. & W.	4,000.00
Inspections S. & W.	5,400.00
Streets & Roads, Grnds. Bldg. Maint.S. & W.	2,000.00
Health & Welfare Health Services S. & W.	1,250.00
Health & Welfare Public Assistance S. & W.	970.00
Board of Adjustment O/E	3,000.00
Tax Collector O/E	800.00
Recreation S. & W.	6,000.00
Public Utilities	4,000.00
Community Govt. Relations Historic Sites and Traditions	2,000.00
TOTAL	<u>54,545.00</u>

TO:

Financial Administration S. & W.	300.00
Assessment of Taxes S. & W.	645.00
Board of Adjustment Contractual Services	3,000.00
Ins. Group-Ins. for Employees	6,000.00
Streets & Rds. Road Repairs & Maint. O/E	15,000.00

To: Continued

Road Equip. & Maint. O/E	10,000.00
Street Lighting	5,000.00
Financial Administration Misc. O/E	600.00
Recreation & Education O/E - Div. of Rec.	6,000.00
Federal Unemployment Tax	2,000.00
Insurance - Other	6,000.00
TOTAL	<u>54,545.00</u>

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the four Councilmen present.

Council President Croddick reminded the Councilmen that they had in their folders the Appeal of Forest Green Park Cemetery which must be read in time for the Hearing on December 14th. The matter will be discussed at the caucus of November 20th.

Councilman Grossman inquired whether the Township Attorney has heard from the Public Utilities Commission on the matter of the Central Jersey Water Company rate increase. Mayor Goldzweig said he had received no answer. He explained that the township is seeking an agreement that the PUC will open up the hearings and that U. S. Home Corp. will provide some legal services. Mr. Bierman asked what they did not make available. The Mayor replied that U. S. Homes said they would make everything available. They will work with us to protest the rates of the Central Jersey Water Company.

Council President Croddick recognized Vincent Matulewicz of 22 Harrington Terrace. He requested Council to petition the State Department of Transportation to make some sign changes on Route 18 Eastbound and Tennent Road - the intersection. He said there is no indication where Morganville is. He has a proposal that will clarify the situation. He has prepared a sign configuration and he submitted a copy to the Clerk. It is attached hereto and made a part hereof. Mr. Matulewicz hopes there will be action on this matter.

The meeting was adjourned at 9:34 P.M.

Minutes Approved: December 14, 1978

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

RESOLUTION # 340-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

CHECKS ISSUED PRIOR TO COUNCIL APPROVAL:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
Marlboro Township	Net Payroll	38,586.38	18090
C.J.B.T.Co.	F.I.T.	6,666.18	18091
Marlboro Twsp. Unemp. Ins	Payroll Taxes	552.87	18141
" " " " " "	" " " "	1,128.64	18142
Pub. Assist. Petty Cash	Pub. Asst. Trust A/C	828.80	608
	TOTAL:	\$ 47,762.87	

<u>OR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.</u>
rl. Twsp. Bd. of Ed.	Local School Dist. Taxes	242,812.00	
Bd. of Ed. F.R.H.S.	Dist. Taxes	103,164.40	
County of Monmouth	County Taxes -Health Dept.	8,484.97	
County of Monmouth	County Taxes - Library	13,883.78	
County of Monmouth	County Taxes	399,467.26	
Marlboro Animal Hosp.	Dog License a/c	100.00	
N.J. State Dept. of Health	" " "	9.50	
N.J. Dept. Enviromental Protection	License Trust A/C	200.00	
C.&S. Builders Inc.	Bldg. Trust Fund A/C	225.00	
Sprinkler King of N.J.	" " " "	60.00	
City of Asbury Park	Public Assist. Trust Fund	534.00	
Township of Howell	" " " " "	207.00	
A. & P.	Administration	42.60	
Automation Papers Co. Inc.	" "	90.70	
Richard Cardillo	" "	14.50	
Central Mall Stationers	" "	60.35	
The Daily Register	" "	6.24	
Dartnell	" "	55.75	
IBM Corp.	" "	666.77	
Marlboro Post Office	" "	30.00	
Middlesex County Publishing Co.	" "	120.54	
N.J. Munic. Managers Assoc.	" "	25.00	
The News Transcript	" "	8.75	
Roger Lawrence Photography	" "	47.00	
West Publishing Co.	" "	13.00	

Harris Hardware	Admin.	3.84	
	Grds. Maint	23.85	
	St. & Rds.	<u>3.60</u>	31.29
Isbury Park Press	Admin.	332.50	
	Indust. Develop.	<u>302.40</u>	634.90
Sheila Fishkin	Finance		17.15
General Office Supply	Finance	5.63	
	Hwy. Safety	<u>7.02</u>	12.65
STC Computer Services	Tax Assessor		135.40
Weltco Business Forms	" "		96.30
Carol Chasin	Municipal Court		8.00
Jo Mazzeo	Engineer		206.20
Arrow Uniform Supply Inc.	Pub. Bldg. & Grds		52.50
Con-Fran Square	" " "		3,375.00
Raymond Jensen	" " "		230.00
Mon. County Garden Center	" " "		252.00
The Bannister Co.	Planning Board		21.65
ElGreco- Dinner Theatre Prod.	Senior Citizens		100.00
Arthur Jones	" " " "		331.50
Walter Heath Co.	Police		144.65
V.R. Ralph & Sons	" "		48.10
Scrub-A-Dub	" "		75.00
Bayshore Stationers	Sts. & Rds.		161.02
Con-Lux Coatings Inc.	" " "		88.25
Hillpot Farm Stores Inc.	Sts. & Rds.	43.00	
	B.O. 11-78	<u>60.00</u>	103.00
Bayshore Tire	Equip. Maint.		171.40

AOR	APPROPRIATION		AMOUNT	CK.
Imperial Oil Co. Inc.	Equip. Maint.		177.10	
Maurice Schwartz & Sons	" "		19.28	
Power Crimp Industries Inc.	" "		22.14	
Toms Ford Inc.	" "		175.00	
Amboy Generator Service Inc.	" "		48.00	
B. & B. Auto Glass	" "		48.90	
Matty's Auto Parts	" "		542.24	
August Plumbing & Heating	Grds. Maint.		20.00	
Fox Equipment Co.	" "		72.00	
J.C.P.L. Co.	St. Lighting Utilities	6567.71 <u>876.21</u>	7,443.92	
Kepwell Spring Water Co.	Utilities		109.25	
Marl. T.M.U.A.	" "		72.00	
N.J. Bell	" "		1,510.71	
N.J. Natural Gas Co.	" "		71.25	
Bureau of State Use Industries	Public Assistance		3.72	
Phone-Mate Inc.	Drug Abuse		41.81	
Perry's Trophy II	Recreation		73.50	
Trade Printing	" "		220.00	
MASCO SPORTS VI	" "		278.70	
Battleground Maint. Supply Co.	Library		25.75	
Robbins Electric	" "		97.02	
Manzo Contracting Co. Inc.	Sts. & Rds. B.O. 11-78 B.O. 3-74 B.O. 18-75	199.50 3,667.45 74.90 <u>12,663.00</u>	16,604.85	

<u>FOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CHK. #</u>
Harnock Ryan Dodge	B.O. 11-78	6,746.53	
Matawan Lumber Co.	" " "	36.22	
L.D. Seely Co.	" " "	3,630.00	
C.H. Roberson Inc.	" " "	29.40	
Harter Equipment Inc.	B.O. 18-75	558.00	
	B.O. 11-78	<u>375.00</u>	933.00
Builders Block & Supply Co.	B.O. 18-75	92.00	
Schoor Engineering Inc.	Due From	206.12	
	C.D.A.	<u>23,450.00</u>	23,656.12

TOTAL: \$ 839,425.48

OFFERED BY: Grossman

AYES: 3

SECONDED BY: Croddick

NAYS: 1
Not Present: 1

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are
available sufficient appropriated funds for the purpose of this
resolution.

11/3/78

Date

Shela Fishkin

Treasurer

RESOLUTION # 341-78

Whereas, the Council and/or Official Boards and Agencies have authorized certain services and purchases and the Council and Official Boards and Agencies have reviewed and certified these vouchers and

Whereas, the Finance Department has submitted a certificate stating that funds have been provided and are available;

Now, Therefore, Be it resolved by the Council of the Township of Marlboro, that the following be paid:

<u>VENDOR</u>	<u>APPROPRIATION</u>	<u>AMOUNT</u>	<u>CK.#</u>
AAA Well Drilling Inc.	Swim Pool	235.81	
Fischer & Porter Co.	" "	251.36	
Raymond Jensen	" "	165.00	
J.C.P.L.Co.	" "	182.65	
Marlboro T.M.U.A.	" "	192.00	
N.J. Bell Telephone Co.	" "	14.27	

TOTAL: 1,041.09

OFFERED BY: McClung

AYES: 4

SECONDED BY: Klau

NAYS: 0
Not Present: 1

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are
available sufficient appropriated funds for the purpose of this
resolution.

11/3/78

Date

Sheila Fickler
Treasurer

OFFERED BY: Croddick

AYES: 3

SECONDED BY: Grossman

NAYS: Absent: 1
0
Not Present: 1

Marjorie E. Currey
Marjorie E. Currey, Acting Township
Clerk

John F. Croddick, Council Pres.

CERTIFICATE OF TREASURER

I, having knowledge of the facts, certify that there are available sufficient appropriated funds for the purpose of this resolution.

11/3/78

Date

Sheila Fishkin

Treasurer

Affidavit of Publication

Printer's Fee \$.....

**State of New Jersey } ss.
MONMOUTH COUNTY**

Personally appeared **ARLENE E. SHOWERS** **BOOKKEEPER**
of the Asbury Park Press, a newspaper printed and published in ASBURY PARK, in said County and State, who being duly sworn, deposes and saith that the advertisement of which the annexed is a true copy, has been published in the said newspaper One (1) times, once in each issue, as follows _____

MARLBORO TWP.
"Pursuant to the provisions of the Open Public Meetings Act, notice is hereby given that the Council Caucus of December 22nd, and the Council Meeting of December 28th are cancelled."
"The next regularly scheduled Caucus and Council Meeting will take place on January 8th and January 11th respectively."
Marjorie E. Curran
Acting Township Clerk
(54.50) 167408

December 21
A.D., 1978
Arlene E. Showers
Sworn and subscribed before me this 22nd day of Dec
A.D., 1978

Jacqueline A. Rush
JACQUELINE A. RUSH Notary Public of New Jersey
NOTARY PUBLIC OF NEW JERSEY

My Commission Expires August 25, 1981

COUNCIL OF THE TOWNSHIP OF MARLBORO - REGULAR MEETING

DECEMBER 14, 1978

The meeting was called to order at 8 P.M. by Council President Croddick. After the salute to the flag, the Clerk called the roll. Councilmen Grossman, McClung and Vuola and the Council President were present. Councilman Klau, who had not returned from vacation, was absent.

Others present were Township Attorney, Herbert B. Bierman, Business Administrator, Richard M. Cardillo, Mayor Arthur Goldzweig and Acting Clerk, Marjorie E. Currey.

Council President Croddick announced that the first order of business, although not so listed on the Agenda, would be the public hearing on the Bond Ordinance, Ordinance #31-78. He asked if any member of the public wished to speak. Since noone indicated a desire to be heard, the public hearing was closed.

The Township Attorney stated that the record should reflect that on Tuesday, December 12th, Council appeared before the Local Finance Board in Trenton for the purpose of justifying this Bond Ordinance. On Wednesday afternoon, December 13th, Mr. Bierman received a telephone call from the Secretary of the Board informing him that the Bond Ordinance had been approved.

Councilman Grossman informed the public that this bonding was necessary in order to enable the Township to furnish the Municipal Complex, to landscape the grounds, to construct an addition to the Library and to purchase plectrons for emergency units in the Township.

Councilman Vuola introduced Resolution #348-78 (Ord. #31-78):

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

ORDINANCE #31-78

BOND ORDINANCE PROVIDING FOR SEVERAL CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$575,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$575,000 BONDS OR NOTES TO FINANCE THE COST THEREOF.

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote by the four Councilmen present.

Councilman Vuola then asked to be excused so that he could attend a Community Development Administration meeting in Freehold. Before leaving the Councilroom, he said that, although he had previously been opposed to the establishment of an Environmental Commission - because he did not want the commission form - he would vote in favor of it if he did not have to absent himself from the rest of the Council meeting.

Council President Croddick then opened the Citizen's Voice:

John Stampone of 36 Nolan Road said that the contractor installing the sewers is dumping asphalt and garbage in a lot near him. He hopes there is a firm date for the removal of this unsightly material. The Council President consulted Township Engineer, Pieter Van Aartrijk, who assured him the material would be removed as soon as possible.

Ron Lukach of 57 Roosevelt Avenue asked for the date of the second reading of the ordinance closing Wilson Avenue. He said the first reading was in 1963.

The Council President stated there was no final action on that Ordinance and it was not adopted. He will ask the Engineer, the Tax Assessor and interested residents to come down to the next caucus meeting on January 8th. The confusion of who owns what property will be straightened out.

Attorney Bierman suggested that interested parties should bring with them title searches or surveys of their property at the time of purchase. Mr. Lukach said he has his.

Administrative Report:

Mayor Goldzweig said the Township had received \$65,449.56 from the State reflecting the amount of State-owned property in the Township. Legislation providing such reimbursement was passed last year. In Marlboro's case, the funds are created by the State Hospital and the prison farm.

He thanked Councilman McClung for once again donating the beautiful Christmas tree for the Councilroom. The Councilman said he had obtained it as a gift from Mr. Brock on Route 9.

The town-wide clean-up days in late November and early December were successful.

At the request of Assemblyman Villane, the Mayor has written to the New York office of the Army Corps of Engineers to object strenuously to the dumping of sludge by the corps just six miles from the coast of Monmouth County. He suggests individual appeals to stop the dump-

ing.

Mayor Goldzweig said that the township has received from John Laezza, Director of the Division of Local Government Services, the calculation of our budget cap. It is only \$108,720; but anti-recession funds have been subtracted.

The Commuter Parking applications have gone out with a letter explaining how the system works. The Mayor has asked Manalapan Township to increase the number of permits it issues to Marlboro residents. More reciprocity is needed. Transport of New Jersey has added another six busses in the morning which stop at the Union Hill lot. Starting in January, the Mayor wants express busses from the Port Authority to our parking lot. He hopes such busses will be put on the run as early as possible on an experimental basis.

The Council President interrupted briefly to say that he has received phone calls from Marlboro residents who have been parking at the Steinbach Mall (and who have been told to stop doing so) asking whether there is an arrangement with the owners of that site. The answer is that there is no such arrangement. Feist and Feist, the owners, have made a six-month agreement for a small number of Freehold and Manalapan people to park there. When the Manalapan lot is open, Feist and Feist will terminate the arrangement.

Mayor Goldzweig distributed the Bond Ordinance Status Report to December first, and the Appropriations Report of November 30th. He said that Business Administrator, Richard M. Cardillo, and Director of Finance, Marc Chalfin, have been working hard on next year's budget.

The Mayor then said he wanted to make a short presentation to Steve Hoch and Stan Bauman in recognition of their dedicated work to the Recreation Program of the township. He presented each with a Plaque which bore the years 1971-1978 in addition to a commendation.

Steve Hoch said that when he and Bauman resigned there was a promise made in this room to establish a Recreation Commission in Marlboro. This has not been done. We still have a Committee. Other nearby towns have the Commission form. Mr. Hoch said that we need the Commission. We need a thorough examination of our Parks. Our ball fields need repairing and resurfacing. We should stop the talk and the politics because we need a Recreation Commission now. He said Council should go on record if it insists on staying with the Committee. "If you want, we will get signatures and put the question on the ballot in November." Mr. Hoch stated that he feels deeply on this subject. Recreation and parks are for everyone in Marlboro of whatever age. He said that the plaque is meaningless; that it is the appreciation of children that counts.

*==> Council President Croddick opened the Public Hearing on Ordinance #28-78. As no one wished to speak, the hearing was closed.

-4-

Mayor Goldzweig concluded his report by stating that the professional direction of the Recreation Program has been in the hands of two part-time employees, Henry Simms and Allen Ginsberg. They will step aside if and when we find a full-time director. A full-time director would help the program. The search for this person has begun and we should have a candidate within sixty to ninety days.

*==> Councilman McClung introduced Resolution #345-78 (Ord. #28-78):

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

Ordinance #28-78

AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED 'AN ORDINANCE RELATING TO THE ORGANIZATION AND ADMINISTRATION OF THE GOVERNMENT OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, PURSUANT TO MAYOR-COUNCIL PLAN E OF THE OPTIONAL MUNICIPAL CHARTER LAW (N.J.S.A. 40:69A-68 through 73) TO THE EXTENT NOT OTHERWISE PROVIDED BY SAID OPTIONAL MUNICIPAL CHARTER LAW, BY THE STATUTES OF THE STATE OF NEW JERSEY, AND BY THE ORDINANCES OF THE TOWNSHIP OF MARLBORO'."

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

Councilman Grossman said that at the caucus meeting it was agreed to add the optional holiday, Martin Luther King Day, to the other optional holidays in the second section of the ordinance. This was done by motion to amend the ordinance, the motion being made by Councilman Grossman. There was some discussion in which the Councilman said that this adds paragraph H to the ordinance permitting the establishment of an Environmental Commission. It sets the holiday schedule for the township employees. Another section streamlines the bill-paying procedure so that Council does not have to look through reams of paper at every caucus and (sometimes) at meetings also.

Councilman McClung seconded the motion to amend which was passed by the unanimous vote of those present.

Councilman Grossman then seconded Resolution #345-78 introducing the now-amended Ordinance #28-78. On the roll call vote, the Resolution was adopted unanimously by the affirmative votes of the three Councilmen present.

Council President Croddick then opened the Public Hearing on Ordinance #29-78, an ordinance permitting the establishment of an Environmental Commission.

Bob Tonti asked what authority the Commission would have and he was informed by the Council President that its powers would be advisory. A man who did not give his name inquired whether the Council could appoint the Commission. Council President Croddick that under our form of government, the appointments would have to be made by the Mayor. The same man asked whether the Commission would be non-political, and the Council President said "yes."

Mayor Goldzweig, relevant to some further discussion, said that Planning Board requires an environmental impact study from a developer. He said Council has the ultimate control through zoning. One gentleman was concerned that the Commission would lack the power to do anything..

Mrs. Lathrop asked whether the Commission would report to Council. The Council President it could recommend things to any board or agency in the township, including Council. Mrs. Lathrop then asked whether the Mayor would appoint the members of the Commission. The Council President informed her that under our form of government he would make the appointments. She feels this is giving too much power to the Mayor.

Someone asked for a dialogue on mandatory versus advisory powers. This led Councilman Grossman to remark that if the people do not want such a Commission to work, it will not work, no matter what kind of power an ordinance may give it. People who work with Planning Board and an Environmental Commission must report to Council each year. He hopes that Planning Board will cooperate with the Commission, asking advice and recommendation.

Council President Croddick said that the Legislative Advisory Committee had originated this ordinance. He introduced Joseph Soporowski, a member of the committee, who was present. He introduced Miss Candace Ashman, an environmental expert from the State. She said there are 326 environmental commissions in the State of New Jersey and she has worked with each and every one of them. There are 2500 people serving on these commissions. She explained that when such a commission has a data base, the Planning Board must send site plans to it for review. Commissions with such a data base, as a result of their work, can be very powerful.

Councilman Grossman introduced Resolution #346-78 (Ord. #29-78):

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

Ordinance #29-78

AN ORDINANCE TO ESTABLISH AN ENVIRONMENTAL
COMMISSION IN THE TOWNSHIP OF MARLBORO.

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three councilmen present.

Council President Croddick opened the Public Hearing on Res. #347-78 (Ord. #30-78). As no one wished to speak, the hearing was closed.

Councilman Grossman introduced Res. #347-78 (Ord. #30-78):

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

Ordinance #30-78

AN ORDINANCE VACATING AN UNNAMED LANE
RUNNING FROM MOORE ROAD IN THE TOWNSHIP
OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY

be adopted on second and final reading and notice of the passage thereof shall be advertised according to law.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #349-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the minutes of the following meetings are hereby approved as submitted or corrected:

April 13, 1978 - Regular
September 28, 1978 - Regular
October 30, 1978 - Special
October 19, 1978 - Regular
November 9, 1978 - Regular

The minutes were offered separately. Those of April 13 and October 30 were seconded by Council McClung; those of September 28, October 19 and November 9 were seconded by Councilman Grossman who announced that he had called several typographical errors to the attention of the Clerk, plus the fact that there must be a correction of Councilman Klau's vote on a certain motion in the minutes of October 19th. The vote was recorded as "Yes" when it should have been "no." The resolution was then adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #350-78:

WHEREAS, the Division of Tax Appeals of the State of New Jersey has granted judgments as per the attached Schedule "A", and

WHEREAS, owners of property as per the attached Schedule "A" have paid their 1978 taxes;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby directed to refund the amount of \$15,545.00 as per Schedule "A".

It was seconded by Council Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #351-78:

WHEREAS, the Monmouth County Board of Taxation has granted judgments as per the attached Schedule "A", and

WHEREAS, owners of property as per the attached Schedule "A" have paid their 1978 taxes;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Collector be and she is hereby directed to refund the amount of \$29,866.01 as per Schedule "A".

It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #352-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Jersey Equipment Sales Co., 460 Hollywood Avenue, South Plainfield, New Jersey 07080, be and they are determined to be the only bidder meeting the specifications covering the following work, labor and/or materials:

One 1979 John Deere Model No. 644
Front End Loader \$ 61,675.00

That the bid price covering the said equipment is now on file with the Township Business Administrator and the contract for the same is hereby awarded to Jersey Equipment Sales Co. on their bid of \$61,675.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #353-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that La Strada General Contracting Corp., 16 Livingston Lane, Englishtown, New Jersey, 07726, be and they are determined to be the low bidder covering the following work, labor and/or materials:

Construction of Marlin Estates and
Lloyd-Nolan Parks as detailed in Schedule A attached.

That the bid price covering the said work, labor and/or materials is now on file with the Township Business Administrator and the contract for the same is hereby awarded to La Strada General Contracting Corp. on their contract price of \$92,126.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #354-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that General Electric Company of Skippack Pike, Blue Bell, Pennsylvania, be and they are determined to be the only bidder meeting the specifications covering the following work, labor and/or materials:

Three Hand-Held Portable Radios for the
Road Department

That the bid price covering the said equipment is now on file with the Township Business Administrator and the contract for the same is hereby awarded to General Electric Company on their bid of \$3,693.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilman present.

Councilman Grossman introduced Res. #355-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that General Electric Company of Skippack Pike, Blue Bell, Pennsylvania, be and it is determined to be the only bidder meeting the specifications for the following work, labor and/or materials:

5 Mobile Radios for the
Road Department

That the bid price covering the said work, labor and/or materials is now on file with the Township Business Administrator and the contract for the same is hereby awarded to General Electric Company on its bid of \$684.00 each, making a total of \$3,420.00.

BE IT FURTHER RESOLVED that the proper township officials be and they are hereby authorized to execute any and all instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #357-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for police vehicles are hereby rejected and the Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder.

Councilman Grossman seconded the Resolution, which was adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #358-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Bingo License be issued to Saint Gabriel's Church in accordance with BA: 192 for bingo to be held January 7, 1979 and each Sunday thereafter to December 30, 1979, with the exception of April 15, 1979; at Saint Gabriel's Church Hall, Box 100, Route 79, Marlboro, New Jersey 07746.

It was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #359-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Bingo License be issued to Saint Gabriel's Rosary-Altar Society in accordance with BA: 193 for bingo to be held January 1, 1979 and every Monday thereafter to December 31, 1979, at Saint Gabriel's Church Hall, Box 100, Route 79, Marlboro, New Jersey 07746.

It was seconded by Council President Croddick and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #360-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Dan McCarron and Son - Contract #1 - General Construction; and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation, known as Change Order #8.

Add raised wood plywood floor
in Police Building.

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.

2. That the price for said work shall not exceed the sum of \$922.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Dan McCarron and Son shall remain in full force and effect. That upon acceptance by Dan McCarron and Son, this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Dan McCarron and Son with instructions to execute same and return to the Township Attorney's Office forthwith.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #361-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Dan McCarron and Son - Contract #1 - General Construction; and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation, known as Change Order #7.

Add 14" x 14" Concrete Pedestals

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.15;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.

2. That the price for said work shall not exceed the sum of \$1,978.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Dan McCarron and Son shall remain in full force and effect. That upon acceptance by Dan McCarron and Son, this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Dan McCarron and Son, with instructions to execute same and return to the Township Attorney's Office forthwith.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #362-78:

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Police Headquarters and Municipal Complex - Electric Construction Corp. - Contract #5.; and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in the said recommendation, known as Change Order #3.

Add Additional Conduit

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, the Township Council has been advised by the Chief Financial Officer that adequate appropriations are available in accordance with N.J.A.C. 5:30-14.5;

NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorizes the within change order to the following named contract as more particularly described in the report and recommendation attached hereto.

2. That the price for said work shall not exceed the sum of \$1,500.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Electric Construction Corp. shall remain in full force and effect. That upon acceptance by Electric Construction Corp., this Resolution shall become a written agreement between the parties and shall form a part of the above-mentioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Electric Construction Corp. with instructions to execute same and return to the Township Attorney's Office forthwith.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #363-78:

WHEREAS, the Freehold Area Hospital, located in Freehold Township, is planning a major new expansion program to provide more efficient, effective, medical services to the area; and

WHEREAS, a Kresge Grant of \$100,000.00 will be awarded to the Freehold Area Hospital on the condition that \$400,000.00 in funds or pledges be raised by the Freehold Area Hospital; and

WHEREAS, it is the opinion of the Mayor and Township Council of the

Township of Marlboro that financial contributions to the Freehold Area Hospital and other hospitals in the Marlboro service area are in the public interest and for the general welfare of all citizens of the Township of Marlboro;

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

1. That Mayor Arthur Goldzweig be and he is hereby authorized to sign a pledge card to the Freehold Area Hospital donating Twenty-five thousand (\$25,000.00) dollars, payable in five (5) annual installments beginning in the year 1979 and ending in the year 1983, in such sums and in such manner as shall be adopted by the Annual Budget of the Township of Marlboro.

2. That the Mayor and Township Council are aware of the needs of various other hospitals serving the residents of the Township of Marlboro and will consider similar donations to such hospitals as the need arises in consideration of the service to the residents of the Township of Marlboro.

3. That a line item be created or modified in the Budget for those years of this specific purpose which shall show that the funds to be donated shall be derived from the General Funds which funds will be payable on or about December 1 of each year.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to the Board of Trustees of the Freehold Area Hospital and to the following municipalities in the Freehold Area Hospital service area:

Allentown Borough
Englishtown Borough
Freehold Borough
Freehold Township
Howell Township
Jackson Township
Manalapan Township
Millstone Township

The Resolution was seconded by Councilman McClung who then stated that he knew we have an outstanding pledge to Freehold Hospital. Although tax dollars are right, he said we must help institutions that are not entirely self-supporting. He urged the Council to consider seriously the needs of the new Perth Amboy Hospital branch located in Old Bridge Township on Route 18. This hospital is the closest to Marlboro and will become important to Marlboro residents in the near future.

The Resolution was adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #364-78:

WHEREAS, certain appropriations in the 1978 Budget have been determined to have insufficient funds for the balance of the budget year; and

WHEREAS, N.J.S. 40A: 4-58 allows transfers to be made between line item appropriations from November 1 through December 31 annually;

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made:

FROM:

<u>ACCOUNT</u>	<u>AMOUNT</u>
Administration & Executive S. & W.	4,000.00
Economic Development o/e Industrial Develop.	1,500.00
Community & Govt. Relations o/e/Historical Sites	1,500.00
Public Safety Civil Defense & Disaster Control o/e	4,000.00
Sts. & Rds. Grnds. & Bldg. Maint. o/e	2,000.00
Rec. & Education o/e Div. of Shade Trees	3,000.00
Statutory Exp. Contribution to P.E.R.S.	1,000.00
TOTAL:	<u>17,000.00</u>

TO:

Administration & Executive o/e	2,000.00
Municipal Court o/e	1,000.00
Insurance - Other Insurance Premiums	12,000.00
Street Lighting	1,000.00
Legal Services & Costs o/e Misc. o/e	1,000.00
TOTAL:	<u>17,000.00</u>

The Resolution was seconded by Councilman Grossman who said he felt this subject required some consideration. He urged the Administration to give serious thought to the matter of self-insurance because the largest item to which money is being transferred is insurance premiums. He mentioned the possibility of obtaining some free advice from Local Government Services. The Township Attorney said he had asked them for information but never received a reply. Mayor Goldzweig said that after the caucus last

Monday everyone seemed to agree that we should investigate the matter of self-insurance which some towns have undertaken.

The Resolution was adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #365-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for electrical inspection services are hereby rejected and the Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder; and to readvertise for open, competitive bids for the said electrical inspection services.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #366-78:

BE IT RESOLVED that the Township Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/ or materials, as required by law:

Community Center to be constructed
with CDA Funds pursuant to plans and
specifications now on file.

The Resolution was seconded by Councilman McClung who emphasized the fact that these are Community Development Funds obtained for the township through the efforts of Councilman Vuola who has done an outstanding job in this connection.

The Resolution was adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #367-78 (Ord. #32-78):

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

Ordinance #32-78

AN ORDINANCE SUPPLEMENTING AND AMENDING
AN ORDINANCE ENTITLED "AN ORDINANCE PROVIDING
FOR THE OPERATION AND MAINTENANCE OF THE
MARLBORO TOWNSHIP SELF-LIQUIDATING MUNICIPAL
SWIMMING POOL UTILITY"

be introduced and passed on first reading and that the same be

advertised according to law; and

BE IT FURTHER RESOLVED that the same be considered for final passage on January 11, 1979, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Resolution #368-78 (Ord. #33-78):

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

Ordinance #33-78

AN ORDINANCE REPEALING AN ORDINANCE ENTITLED "AN ORDINANCE TO REQUIRE THE REGISTRATION OF BUILDING CONTRACTORS AND THE DEPOSIT OF SECURITY FOR PROPER PERFORMANCE BY BUILDING CONTRACTORS AND SETTING FORTH THE PROCEDURE TO BE ALLOWED; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF"

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

BE IT FURTHER RESOLVED that the same be considered for final passage on January 11, 1979, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

The Resolution was seconded by Councilman Grossman. When the Council President asked if there were any discussion, Councilman McClung said that the State has finally adopted an ordinance that Marlboro adopted in 1972, requiring builders to register and post bonds.

The Resolution was adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Resolution #369-78 (Ord. #34-78):

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

Ordinance #34-78

AN ORDINANCE CREATING THE CENTRAL NEW JERSEY

TRANSPORTATION BOARD AND AUTHORIZING
APPOINTMENT OF MEMBERS THERETO IN CON-
JUNCTION WITH SURROUNDING MUNICIPALITIES
IN THE TOWNSHIP OF MARLBORO, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY

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

BE IT FURTHER RESOLVED that the same be considered for final passage on January 11, 1979, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #370-78:

BE IT RESOLVED that Frederick H. Kurtz, Inc. is authorized and directed to prepare plans and specifications for an extension of water lines in Thomas Lane.

It was seconded by the Council President and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung introduced Res. #371-78, the general bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #372-78 (Swim Club bill-paying) a copy of which is attached hereto and made a part hereof. It was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #373-78 (Municipal Complex Bill Paying) a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #374-78:

WHEREAS, S.M.K. Corp. have, pursuant to law, deposited certain Performance Bonds with the Township of Marlboro in connection with the construction of the subdivision known as the Foxx Subdivision:

Bond #921622 in the amount of \$16,800.00; and

WHEREAS, S.M.K. Corp. has requested a release of the above-mentioned Performance Bond pursuant to N.J.S. 40:55-1.22; and

WHEREAS, pursuant to said statute, upon receipt of the request by S.M.K. Corp., the Township Council directed that a complete investigation and report be prepared by the Township Engineer within the time permitted; and

WHEREAS, the Township Engineer has reported to the Mayor and Township Council in connection with the necessary improvements within the subdivision known as the Foxx Subdivision;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the request by S.M.K. Corp. for a release or reduction from liability under the above-mentioned performance bond is granted and the said bond shall be released or reduced as follows:

Bond #921622 shall be reduced to 0 upon the posting of a Maintenance Bond in the amount of \$4,200.00 for a period of one year.

The Resolution was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman Grossman introduced Res. #375-78 (Ord. #35-78):

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

Ord. #35-78

AN ORDINANCE REGULATING PARKING OF VEHICLES
WITHIN THE TOWNSHIP OF MARLBORO, COUNTY OF
MONMOUTH, AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF

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

BE IT FURTHER RESOLVED that the same be considered for final passage on January 11, 1978, at 8:00 P.M. at the Municipal Offices, Route 79 and Tennent Road, Marlboro, New Jersey, at which time all persons interested will be given an opportunity to be heard concerning said ordinance.

The Resolution was seconded by Council President Croddick and adopted unanimously on the roll call vote of the three Councilmen present.

Councilman McClung said that the ordinance might cause a problem for people with two cars and no garage. The Township Attorney said he might consider other language recommended by Council before the final adoption. Councilman Grossman said he thinks Section 2 of the ordinance is broad enough to cover the problem. For example, a person could send a letter to the police so the police have it on file. Mr. Bierman said that was his intention in using this language.

At 9:25 P.M. the Council President called a ten-minute recess for the Council.

When Council reassembled, he introduced Res. #376-78, a supplementary bill-paying requested by the Mayor, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #377-78:

WHEREAS, there remains within the Marlboro-Manalapan area a serious shortage of commuter parking space; and

WHEREAS, the Township of Marlboro and the Township of Manalapan have undertaken the construction of several areas for commuter parking; and

WHEREAS, additional space is required in the immediate future until the completion of certain township parking areas;

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED:

1. That the Township Council of the Township of Marlboro requests the Managing Agent of the Manalapan Mall, Feist & Feist, to permit the use of a portion of the parking area of the Manalapan Mall for commuter parking pending the completion of the Township parking areas.

2. That a copy of this Resolution shall be forwarded to Mayor Arthur Goldzweig for transmittal to Feist & Feist.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #378-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Raycomm Industries be and they are determined to be the lowest responsible bidder covering the following work, labor and/or material:

Municipal Telephone System
Police Telephone System
Internal Paging System

That contract covering said work, labor and/or material in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Clerk (Note: this is an error on the part of Twp. Attorney's office; such plans etc. are on file with the Business Administrator), be and the same is hereby awarded to Raycomm Industries, on their low bid of \$42,730.00.

That the proper Township officials be and they are hereby authorized to execute any and all additional instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung. The Council President said that money was available now and Chief Walker was eager to have the bids for the communications system and other equipment his department will need awarded before the end of the year.

The Resolution was adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #379-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Motorola be and they are determined to be the lowest responsible bidder covering the following work, labor and/or material:

Console
Radio System

That the contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Clerk (Note: this is an error on the part of the Attorney's office. Everything is on file with the Business Administrator) be and the same is hereby awarded to Motorola on their low bid of \$21,068.00.

That the proper Township officials be and they are hereby authorized to execute any and all additional instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

The Council President introduced Res. #380-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Bilson be and they are determined to be the lowest responsible bidder covering the following work, labor and/or material:

Bullet Resistant Glass
Annunciator
Fire Detection System
CC TV

That contract covering said work, labor, and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Clerk (Note: read Business Administrator, to correct error made on part of Attorney's office) be and the same is hereby awarded to Bilson, on their low bid of \$28,831.00.

That the proper Township officials be and they are hereby authorized to execute any and all additional instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #381-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that Dictaphone be and they are determined to be the lowest responsible bidder covering the following work, labor and/or material:

Logging Recorder
Message Repeater

That contract covering said work, labor and/or materials in accordance with said plans, specifications, advertisements, bids and contract documents now on file with the Township Clerk (Read Business Administrator in order to correct error on part of Attorney's office) be and the same is hereby awarded to Dictaphone on their low bid of \$11,734.50.

That the proper Township officials be and they are hereby authorized to execute any and all additional instruments necessary to effectuate and consummate this transaction.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #382-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Township Business Administrator be and he is hereby authorized and directed to advertise for open, competitive bids for the following work, labor and/or materials as required by law:

Equipment & Furnishings for Detention
Area of the Municipal Complex

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

The Council President introduced Res. #383-78:

BE IT RESOLVED by the Township Council of the Township of Marlboro that the caucus meeting of December 27th and the regular Council meeting of December 28th are hereby cancelled.

The Resolution was seconded by Councilman McClung and adopted unanimously on the roll call vote of the three Councilmen present.

Council President Croddick introduced Res. #384-78, a supplementary bill-paying, a copy of which is attached hereto and made a part hereof. It was seconded by Councilman Grossman and adopted unanimously on the roll call vote of the three Councilmen present.

The final item on the Agenda was to be the hearing of the Forest Green Park Cemetery Appeal. The Council President announced that the attorney for the cemetery had asked for a postponement of the hearing until January 11th. At this point Melvin Kenduck, a member of the Planning Board, was recognized by the Chair. He noted that a number of Planning Board members were present and that it had been his intention to ask Council to dismiss this appeal; but this would be impossible without the attorney's being present now.

The Township Attorney stated that the attorney, Mr. Schultzer, had been in touch with his office and with the Clerk asking for an adjournment of the hearing up until January 31st. A letter to that effect is in the mail, although it has not been received yet. His client would consent to such an adjournment. At 4 P.M. today, Mr. Bierman continued, Mr. Schultzer authorized Mr. Bierman to submit a letter to Council stating this. Mr. Bierman said Council would be within the provisions of the ordinance to carry this matter until either the first or second meetings in January. In view of the fact that Mr. Schultzer is not here, the appeal cannot be dismissed.

The Council President, through Mel Kenduck, asked the Planning Board attorney to provide a letter on the legal status of this appeal.

Public Session

The first speaker was Sidney Leveson, a member of the Legislative Advisory Committee. He thanked Council for passing on first reading the ordinance establishing an Environmental Commission. He thanked the Mayor for having the Engineer and others meet with the committee as it worked out this new ordinance. He said that George Creevy, the Environmental Officer, was asked to meet with the committee, but never appeared or responded to the invitation. Mr. Leveson believes that Mr. Creevy is not fulfilling the position of Environmental Officer, since no reports of activity in that capacity have been made. He asks the Mayor and Council to find out the exact nature of the current arrangements with the Environmental Officer. There should be clear responsibilities for enforcement. This is quite different from the Environmental Commission which can act only in an advisory capacity. Mr. Leveson asks Mayor and Council to clarify the work of the Environmental Officer without delay.

Mrs. Alice Lathrop stated that Doree Construction removed trees in the Reid's Hill section II before they obtained a permit to do so. She cannot always be the woman who stops the bulldozer. The hill was defoliated before a permit was issued. In addition to this violation, it appears that someone gave permission to cut the wood and collect it for private use. There are truckloads of soil leaving the hill. Mrs. Lathrop asked where the soil is going. Our ordinance does not say it is the responsibility of the Environmental Officer to prevent things like this; but the responsibility of the Engineer. It would take the Engineer full time to keep up with Doree and his practices. It would require a man full time on the site to see that the environment is not destroyed. She recalled that Ivan Portnoy, Chairman of the Planning Board, had stated at the May 4th hearing that our ordinance stated that new developing cannot take place at the expense of surrounding properties.

Mrs. Lathrop then brought to the Council table several jars of water from her well, one drawn directly from the now low water level and one of boiled water. She said she used to have 12 feet of water in her well and now, since the building on Reid's Hill, she has only two or three feet. She asked the Council President what her recourse is. Her water supply has been ruined. She has a surface well.

The Township Attorney stated that she has the right of private action against the developer through her own attorney. Mrs. Lathrop asked whether the Planning Board should be made a party to such a suit, and Mr. Bierman said that would be up to her lawyer. Mrs. Lathrop thinks that each member of the Planning Board should be sued.

Mr. Bierman said the law has made the control of the water table a private right of action against a developer. The subdivision was approved by the Planning Board. The township should not be involved. This is a matter of private litigation.

Mrs. Lathrop said Council should not have dismissed her appeal on the matter of this subdivision. She said Council could rely on the record. The appeal was filed on the 9th day. The Council President said he would talk to the Township Engineer.

John Batton of 21 Harrington Terrace spoke about drainage problems in his area and the physical changing of Wilson Avenue which was cut through to Harrington. Council President Croddick said there would be a caucus meeting on January 8th and Pieter Van Aartrijk and Joseph La Mura would be present. Anybody with a property deed should bring it to this meeting.

Mr. Batton asked whether the resurfacing of the roads after the sewer installation was complete. He hopes not because the patch is cracking and seems to be only temporary in nature. Council President Croddick said he thinks the contractor has to return to complete the resurfacing, but he does not know what arrangement we have with the WMUA and the contractor. Mr. Batton said the patch will not last the winter. Mr. Batton said he was told the contractor would put in catch basins to eliminate the water running down Harrington Terrace. Mr. Croddick said the township does not have the manpower or time to do this work. The township Engineer is to draw up specification for this work.

Vincent Matulewich of 22 Harrington Terrace said we were talking about this very problem last winter. Mr. Croddick said we are trying to go out for outside services. It is a very big problem. If the Engineer has agreed to do it, Mr. Croddick assumes he will do it.

The meeting was adjourned at 10:15 P.M.

Minutes Approved: January 11, 1979

Marjorie E. Currey
Marjorie E. Currey
Acting Township Clerk

John F. Croddick
John F. Croddick
Council President

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Joan M. Bennett

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Joan M. Bennett

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day of Dec.

A.D. 19 78

Frank S. ...
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 7, 1981