

Any additions to the minutes  
such as bid specs, certifications,  
change order recommendations etc.  
will be found in the loose leaf  
book of minutes.

MARLBORO TOWNSHIP COUNCIL MEETING

JANUARY 13, 1983

The Marlboro Township Council held a regular meeting on Thursday, January 13, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Township Clerk called the roll.

PRESENT: Council Vice President Lerner, Councilman Ginsberg, Councilwoman Mollica and Councilwoman Stokes, (Absent - Hourihan)

Also present were: Mayor Saul Hornik, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council Vice President then announced that pursuant to the provision of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

There was a moment of silence held for Ptl. Landau's family loss.

Council Vice President Lerner then opened the Citizen's Voice portion of the meeting. Bernie Preis - representing the Morganville Civic Association wanted to find out if while the water lines are being put in in the Spring Valley Area, could Falson Lane be incorporated into the project. He had gone to the water company first (MTMUA) and was told to see the Council. Council Vice President Lerner wanted to know if he had submitted a formal application to MUA. He was told that there has not been a formal application submitted. Councilwoman Stokes was asked to look into this situation at the next meeting of the MTMUA and then report back to the Council. Mr. Preis also wanted to know if something was going to be done about the ditches and weeds in his part of town. The Mayor informed him that he would look into this matter. There being no one else signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - Reporting on Marlin Estates, the Mayor stated that Commissioner Huey has asked for a list of things that would constitute an emergency health hazard. He was confident that after the list is submitted there will be sufficient funding available for the project.

The Mayor then presented plaques to the Soccer team from the Middle School for being first in their division.

Council Vice President Lerner opened the "Public Hearing" on Res.#1-83/Ordinance #49-82 (No Parking Union Hill Road). There being no one who wished to speak, the "Public Hearing" was declared closed. The Clerk then introduced Resolution #1-83/Ordinance #49-82 which was offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #1-83

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

ORDINANCE #49-82

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.

The following Resolution #2-83/Ordinance #1-83 (Various Through Streets) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #2-83

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

ORDINANCE #1-83

AN ORDINANCE DESIGNATING "THROUGH STREETS" 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 February 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #1-83

AN ORDINANCE DESIGNATING "THROUGH STREETS" IN  
THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH,  
NEW JERSEY

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

The following described Streets or parts of the streets are hereby designated as THROUGH STREETS. STOP signs shall be installed on the near right side of all streets intersecting the THROUGH STREETS, except where YIELD signs are provided for in the designation;

LAFAYETTE ROAD  
CRINE ROAD  
TOPANEMUS ROAD  
ROBERTSVILLE:

ENTIRE LENGTH  
ENTIRE LENGTH  
ENTIRE LENGTH

- A. From the Manalapan Township-Marlboro Township Corporate line to Ryan Road
- B. From Ryan Road to the Freehold Township-Marlboro Township Corporate line.
- C. From Wyncrest Road to Gordons Corner Road.

The following Resolution #3-83/Ordinance #2-83 (Speed Limit Gordons Corner Road) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #3-83

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

ORDINANCE #2-83

AN ORDINANCE ESTABLISHING SPEED LIMITS ON CERTAIN ROADS WITHIN 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 February 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #2-83

AN ORDINANCE ESTABLISHING SPEED LIMITS ON CERTAIN ROADS WITHIN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY

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

Section 1. That the Speed Limits for both directions of traffic along Gordons Corner Road be established as follows:

Gordons Corner Road 40 M.P.H.  
for its entire length within the Township of Marlboro.

Section 2. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits as authorized by the State Department of Transportation.

4  
Section 3. This Ordinance shall take effect upon approval by the Commissioner of Transportation.

The following Resolution #4-83/Ordinance #3-83 (No parking Hemlock Lane) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #4-83

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

ORDINANCE #3-83

AN ORDINANCE CREATING CERTAIN NO PARKING ZONES ON HEMLOCK LANE 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 February 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #3-83

AN ORDINANCE CREATING CERTAIN NO PARKING ZONES ON HEMLOCK LANE IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY.

BE IT ORDAINED by the Township Council of the Township of Marlboro of the County of Monmouth, as follows:

Section 1. That the following described areas shall be designated as "NO PARKING" areas:

- A. Hemlock Lane on the Easterly side beginning on Gordons Corner Road and terminating 100 feet South.
- B. Hemlock Lane on the Westerly side beginning on Gordons Corner Road and terminating 100 feet South.

Section 2. That upon adoption of the within Ordinance as provided by law and approved by the Department of Transportation Bureau of Traffic Safety the appropriate sign shall be erected forthwith.

Section 3. All Ordinances and all provisions thereof inconsistent with the provisions with this Ordinance are hereby repealed.

Section 4. This Ordinance shall take effect upon passage and publication as provided by law.

The following Resolution #5-83 (Temporary Budget 1983) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #5-83

WHEREAS, in the normal operation of the business of the Township of Marlboro, it will be necessary for making contract, 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 total amount of appropriations hereunder of \$920,083.50 does not exceed twenty-five percent of the total Budget Appropriations of the Township of Marlboro for 1982, 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 1983 be adopted, and a certified copy of this Resolution be forwarded to the Township Finance Director for his records.

TEMPORARY BUDGET

Township of Marlboro

1983

ADMINISTRATION AND EXECUTIVE

1983

Salaries & Wages	\$ 3,937.50
Mayor	\$ 3,937.50
Council	11,595.00
Administration	13,500.00
Other Expenses	
Mayor	1,500.00
Council	2,600.00
Administration	14,100.00

FINANCIAL ADMINISTRATION

Salaries & Wages	
Treasurer's Office	9,400.00
Other Expenses	1,150.00

ASSESSMENT OF TAXES

Salaries & Wages	
Assessor'S Office	6,875.00
Other Expenses	2,400.00

6  
COLLECTION OF TAXES

Salaries & Wages	
Collector's Office	\$10,000.00
Other Expenses	1,500.00

LEGAL SERVICES & COSTS

SALARIES & Wages	13,755.00
Other Expenses	600.00

MUNICIPAL COURT

Salaries & Wages	14,000.00
Other Expenses	1,200.00

ENGINEERING

Salaries & Wages	17,000.00
Other Expenses	2,700.00

BUILDING MAINTENANCE

Salaries & Wages	6,000.00
Other Expenses	8,500.00

PLANNING BOARD

Salaries & Wages	3,000.00
Other Expenses	7,425.00

BOARD OF ADJUSTMENT

Other Expenses	2,600.00
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ECONOMIC DEVELOPMENT

Salaries & Wages	125.00
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COMMUNITY & GOVERNMENT RELATIONS

Salaries & Wages	125.00
Other Expenses	
Miscellaneous	700.00
Historic Sites & Traditions	500.00
Senior Citizen-Morganville	1,000.00
Senior Citizen-Friendship	1,000.00

HEALTH BENEFITS

50,000.00

INSURANCE

60,000.00

PUBLIC SAFETY

Salaries & Wages	
Police	225,000.00
Fire Marshall	850.00
Other Expenses	
Police	14,500.00
Fire Marshall	100.00
Highway Safety	3,400.00

PUBLIC WORKS

Roads Maintenance	
Salaries & Wages	\$90,000.00
Other Expenses	15,500.00
Equipment Maintenance	
Salaries & Wages	14,150.00
Other Expenses	16,000.00
Grounds Maintenance	
Salaries & Wages	13,900.00
Other Expenses	3,500.00

HEALTH AND WELFARE

Salaries & Wages	
Health Services	500.00
Public Assistance	525.00
Drug Control	1,296.00
Other Expenses	
Drug Control	400.00

DOG REGULATIONS

Other Expenses	1,000.00
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ENVIRONMENTAL PROTECTION

Salaries & Wages	125.00
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YOUTH ACTIVITIES

Salaries & Wages	1,000.00
Other Expenses	2,000.00

RECREATION AND EDUCATION

Salaries & Wages	17,600.00
Other Expenses	10,400.00

EXPENSES OF FREE PUBLIC LIBRARY

Other Expenses	5,600.00
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UTILITIES

135,250.00

SOCIAL SECURITY

40,000.00

FEDERAL UNEMPLOYMENT TAX

10,000.00

STATE CONSTRUCTION CODE

Salaries & Wages	17,000.00
Other Expenses	10,000.00

SENIOR CITIZEN COORDINATOR

Salaries & Wages	1,500.00
Other Expenses	200.00

TOTAL CURRENT BUDGET

General Operating Budget

\$920,083.50

PUBLIC ASSISTANCE STATE AID AGREEMENT

500.00

MUNICIPAL DEBT SERVICE

Bond Principal

200,000.00

Interest on Bonds

76,279.50

TOTAL APPROPRIATIONS

\$1,196,863.00

## TEMPORARY BUDGET

SWIM POOL UTILITY  
1983SWIM POOL

Salaries &amp; Wages

\$ 2,000.00

Other Expenses

18,000.00

Total Operation Expense

20,000.00

DEBT SERVICE

Bond Principal

50,000.00

Bond Interest

18,562.50

The following Resolution #6-83 (Transfers) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #6-83

WHEREAS, certain appropriations in the 1982 Budget have been determined to have insufficient funds for the balance of the budget year, and

WHEREAS, N.J.S. 40A:4-59 allows transfers to be made between line item appropriations during the first three months of any fiscal year for the immediately preceding fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made:

FROM

Elections O/E

\$150.00

TO

Court O/E

\$150.00

The following Resolution #7-83 (Change Order #3, Marlboro Municipal Park) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #7-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered; Development of Marlboro Municipal Park; 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; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, there is a reduction in contract price, the Township Council has been advised by the Chief Financial Officer that no appropriations are necessary 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 contract for said work shall be reduced by the sum of \$11,042.26.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment Leasing Co. shall remain in full force and effect. That upon acceptance by Consolidated Equipment Leasing 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 Consolidated Equipment Leasing Co. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #8-83 (Bond Reduction Westbrook Estates Section 1) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #8-83

WHEREAS, Diraje Corp. has requested the release of certain Performance Bonds with respect to Section 1 of a development known as Westbrook Estates; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated January 5, 1983 prepared by the Township Engineer, David Birnbaum, P.E.;

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

1. Section 1 - The Performance Bond which now totals \$29,994.20 shall be released and reduced to zero. Upon the release of this Bond, there shall be posted with the Township a two year 15% maintenance bond in the sum of \$4,499.00.

2. A certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to Diraje Corp..

The following Resolution #9-83 (Bond Reduction Marlboro Woods, Sections 1 and 2) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #9-83

WHEREAS, Marlboro Woods, Inc. has requested the release of certain Performance Bonds with respect to Sections 1 and 2 of a development known as Marlboro Woods; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated January 5, 1983 prepared by the Township Engineer, David Birnbaum, P.E.;

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

1. Section 1 - The Performance Bond which now totals \$20,125.00 shall be released and reduced to zero. Upon the release of this Bond, there shall be posted with the Township a two year 15% Maintenance Bond in the sum of \$3,019.00.

2. Section 2 - The Performance Bond which now totals \$38,401.00 shall be released and reduced to zero. Upon the release of this Bond there shall be posted with the Township a two year 15% maintenance bond in the sum of \$5,760.00.

3. That this release is subject to and contingent upon the payment of additional inspections pursuant to Marlboro Township Ordinances.

4. A certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to Marlboro Woods, Inc..

The following Resolution #10-83 (Reimbursement of Taxes - Blk 59DD, Lot 10) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #10-83

WHEREAS, the Township of Marlboro has undergone a reassessment which reflects values of properties as of Oct. 1, 1981; and

WHEREAS, as a result of the reassessment the owners and taxpayers of Block 59DD, Lot 10, Steven M. and Barbara Goldmacher of 9 Brantford Court, Marlboro, New Jersey 07746 have questioned the Tax Assessor with regard to their tax assessment for 1979, 1980 and 1981; and

WHEREAS, said taxpayers have filed a complaint with the Tax Court of New Jersey, Docket No. 13-30087A-82C pursuant to N.J.S.A. 54:2-41 for Correction of Error in Real Property Assessment for 1979, 1980 and 1981; and

WHEREAS, the Tax Assessor consents that an error in assessment was made on said Block 59DD, Lot 10 for the tax years 1979, 1980 and 1981; and

WHEREAS, the error was not caused by the taxpayer; and

WHEREAS, the Council of the Township of Marlboro is desirous that every taxpayer pay his fair share of taxes; and

WHEREAS, said taxpayers have paid more than their fair share of taxes for the years 1979, 1980 and 1981.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Council agrees to reimburse Steven M. and Barbara Goldmacher the sum of \$256.42 which represents the following: A. An over-assessment of \$1,546 at the 1979 tax rate of \$4.82 per hundred totaling \$74.52; B. An over-assessment of \$1,700. at the 1980 tax rate of \$5.10 per hundred totaling \$86.70; and C. An \$1,700 over-assessment at the 1981 tax rate of \$5.60 per hundred totaling \$95.20.

BE IT FURTHER RESOLVED that upon reimbursement of these taxes said taxpayers of Block 59DD, Lot 10 will agree to withdraw their complaint with the Tax Court of New Jersey, Docket No.13-30087A-82C.

The following Resolution #11-83 (Reimbursement of Taxes Blk 2, Lot 8.B) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #11-83

WHEREAS, the Township of Marlboro has undergone a reassessment which reflects values of properties as of Oct. 1, 1981; and

WHEREAS, as a result of the reassessment the taxpayers and owners of Block 2, Lot 8.B, Robert D. and Jacqueline Downing of 15 Freneau Dr., Morganville, New Jersey 07751 have questioned the Tax Assessor regarding their tax assessment for 1980 and 1981; and

WHEREAS, the Tax Assessor consents that an error in assessment was made for 1980 and 1981 tax years; and

WHEREAS, time for filing a tax appeal with the County Tax Board has lapsed; and

WHEREAS, the error was not caused by the taxpayer; and

WHEREAS, the Council of the Township of Marlboro is desirous that every taxpayer pay his fair share of taxes; and

WHEREAS, said taxpayers have paid more than their fair share of taxes for the years 1980 and 1981.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Council agrees to reimburse to Robert D. and Jacqueline Downing, owners of Block 2, Lot 8.B the sum of \$330.30 which represents an over-assessment of \$3,000 at the 1980 tax rate of \$5.24 per hundred (\$157.20) and an over-assessment of \$3,000 at the 1981 tax rate of \$5.77 per hundred (\$173.10).

The following Resolution #12-83 (Raffle License - Women's American ORT-Marlboro Chapter) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #12-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License No. 2-83 is hereby granted to Women's American ORT Marlboro Chapter. Said raffle to be held March 17, 1983 at 8:00 P.M. at Asher Holmes School, Tennent Road, Marlboro, New Jersey.

The following Resolution #13-83 (Raffle License St. Gabriel Altar Rosary Society) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #13-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License NO. 3-83 be and it is hereby granted to St. Gabriel's Altar Rosary Society. Said Raffle to be held in the St. Gabriel's Church Hall on Saturday, March 5, 1983 at 12 noon.

The following Resolution #14-83 (Cancel Taxes Blk. 34 Lot 16.A) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #14-83

WHEREAS, it has been determined that the record owner of Block 34, Lot 16.A is the Marlboro Township Municipal Utilities Authority; and

WHEREAS, taxes have been levied in the amount of \$24.78 for the year 1982, and in accordance with N.J.S.A. 54:4-3.3, it is mandated that these taxes be cancelled.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Tax Collector be and is hereby directed to cancel these taxes in the amount of \$24.78.

The following Resolution #15-83 (Refund of Taxes) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #15-83

WHEREAS, the Monmouth County Board of Taxation has granted judgments as per the attached Schedule "A" and

WHEREAS, owners of property listed on said Schedule "A" have paid their 1982 taxes,

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 \$20,244.02 as per Schedule "A".

SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
1	17	J. & S. Rodney & V. & H. Alt	\$ 255.44
5	1	Ern Realty Company	1,845.53
22	11	Paul and Carol Terzulli	466.24
22	32	Matthew Prince	222.02
22	38	Herbert Kubar	334.30
24	1	Maurice and Marion Gruber	696.88
26A	3	Kathleen Weadock & Marion Forbes	198.40
26C	34	Michael J. & Charlotte M. Koval	327.36
27	17	Sanclaire Enterprises Inc.	35.88
31	8	Boleslaw Zienowicz	33.60
34	17	Boleslaw Zienowicz	60.50
37	17	J.E. & Cecelia Garrison	431.52
38	5	Dominick & Carmella Manzo	145.45
38	6A	Dominick & Carmella Manzo	2,320.35
38	26	Dominick & Carmella Manzo	76.91
40	10	Joseph Manzo & Alan Hirsch	565.44
46A	7	Ronald and Kathy Gogger	49.60
46B	1	Anuncia Riobo	74.40
46B	2	Antonio Riobo	74.40
46B	3	Anuncia Riobo	74.40
46B	4	Antonio Riobo	74.40
51A	8	Barton & Linda Blumberg	26.73
51S	24	Steven Hollander	578.34
53B	26	Benjamin & Deena Passaro	153.09
54	1	Toubin	96.45
62	50	New Jersey Bell Telephone Co.	4,028.94
64C	3	Koustubh & Sunada Oka	128.79
64C	5	Bayani G. & Erlinda G. Ticse	431.95
65	15	Isidore Shipper et als	3,402.00
65	42	Joseph Koziarski	110.20
65FF	4	Mr. and Mrs. Joseph Schoenholtz	240.57
70A	3A	D.H.F. Associates, et als	833.49
71	8	Clarrissa G. Collins	84.29
79	15	Thomas Buckley. et als	104.16
81	22	Radio Switch Corporation	3.60
81N	26	Steven & Linda Kaplan	158.40
82	21	Prime Feather Co.	1,500.00
TOTAL			\$20,244.02

The following Resolution #16-83 (Exempt Fireman) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

RESOLUTION #16-83

WHEREAS, Thomas Golwacka has honorably served in the Morganville Volunteer Fire Department for a period of seven years; and

WHEREAS, he 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 Thomas Glowacka is hereby declared an EXEMPT FIREMAN in the Township of Marlboro.

Councilman Ginsberg moved that the minutes of November 18, 1982, December 9, 1982 and December 22, 1982 be approved. This was seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

Councilman Ginsberg, as a representative of Council on the Marlboro Board of Education, expressed his deep sympathies to the family of Chris Ostrander - a young teacher in the Marlboro School System who passed away today.

Council Vice President Lerner then opened the Public Session portion of the meeting. There being no one who wished to speak, the Public Session was declared closed.

Councilwoman Stokes moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan) The meeting was adjourned at 8:35 P.M..

Minutes Approved: January 27, 1983

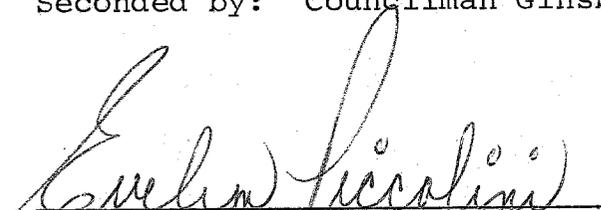
Offered by: Councilman Lerner

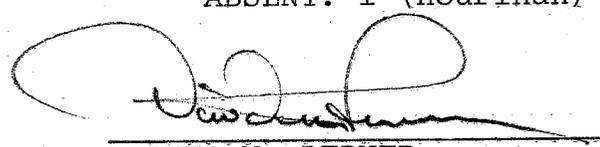
AYES: 4

Seconded by: Councilman Ginsberg

NAYS: 0

ABSENT: 1 (Hourihan)

  
EVELYN PICCOLINI  
Township Clerk

  
DAVID M. LERNER  
Council Vice President

MARLBORO TOWNSHIP COUNCIL MEETING

JANUARY 27, 1983

The Marlboro Township Council held a regular meeting on Thursday, January 27, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provision of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Township Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the Meeting. There being no one signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - The Mayor stated that everything was going along fine in Marlboro. He was confident that the Marlin Estates project would come to fruition and as far as the Arky site goes, Congressman Rinaldo is in touch with DEP on this. He also stated that the Township is looking into the fingerprinting of school children. Other Townships are doing this and have been quite successful. This project would be for the protection of the children.

Councilman Lerner moved that the minutes of the January 13, 1983 meeting be approved. This was seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Hourihan)

The following Resolution #17-83 (Transfers - \$3,826.70) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #17-83

WHEREAS, certain appropriations in the 1983 Budget have been determined to have insufficient funds for the balance of the Budget year; and

WHEREAS, N.J.S. 40A:4-59 allows transfers to be made between line item appropriations during the first three months of any fiscal year for the immediately preceding fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made:

FROM

Sanitation O/E	\$2,000.00
Elections O/E	826.70
Gasoline	1,000.00

TO

Public Bldgs. and Grounds O/E	\$3,826.70
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The following Resolution #18-83 (Tax Refund Blk 62E, Lot 18 - \$806.95) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #18-83

WHEREAS, the Monmouth County Board of Taxation has approved a correction of error in assessment for Block 62E. Lot 18 assessed to Chull Chan in the amount of \$806.95,

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 \$806.95.

The following Resolution #19-83 (Tax Refund - \$3,943.35) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #19-83

WHEREAS, the Monmouth County Board of Taxation has granted judgments as per the attached Schedule "A" and

WHEREAS, owners of property listed on said Schedule "A" have paid their 1982 taxes,

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 \$3,943.35 as per Schedule "A".

SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
33	8B	Richard L. Vilichka	'81 Added Assess. (\$13.50)
			'82 " " (170.98)
			\$ 184.48
46	2C	Syemour Levine	'82 " " 87.97
49D	10	Wolfgang & Charlotte Steinberger	'82 " " 180.23
58DD	27	Irwin & Elizabeth Sternberg	'82 " " 174.82
60	9E	Marlboro Jewish Center	'81 Omitted Asses (1,345.20)
			'82 " " (1,730.16)
			3,075.36
62	18A	Helena Derrick	'82 Added Assess. 169.28
63N	19	John Huang	'82 " " 71.21
		Total	\$3,943.35

27

The following Resolution #20-83 (Redemption Tax Sale Certificate - #82-1 Blk 10 Lot 26) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #20-83

WHEREAS, the rightful owner of Block 10 Lot 26 has redeemed Tax Sale Certificate #82-1 and

WHEREAS, this redemption included payment of sewer charges in the amount of \$378.92, The Western Monmouth Utilities Authority is entitled to reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$378.92 be refunded to The Western Monmouth Utilities Authority.

The following Resolution #21-83 ( Insurance Consultant - Klotz & Brick, Assoc., Inc.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #21-83

WHEREAS, there exists a need for insurance consulting and brokerage work; and

WHEREAS, the maximum amount of the contract in question is \$99,000.00 and part of the funds are available in the 1983 Temporary Budget and have been certified by the Township Treasurer and the balance will be available in the 1983 Budget; 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 "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

WHEREAS, the Assistant Business Administrator has certified that this meets the statute and regulations governing the award of said contracts;

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

1. That the Mayor and the Township Clerk are authorized and directed to execute an Insurance Brokerage Agreement with Klotz & Brick Associates, Inc..
2. That said agreement shall be effective until the Township Council of the Township of Marlboro adopts a further Resolution.
3. That this contract is awarded without competitive bidding as "Extraordinary, Unspecifiable Service" in accordance with 40A:11-5 (1)(a) of the Local Contract Law because insurance consultation and insurance brokerage contracts are a stated exception.
4. A notice of this action shall be published in an official newspaper of the Township of Marlboro.

The following Resolution #22-83 (Approval Transfer of Funds in MR-77b Account - Monmouth County Community Development Program) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #22-83

WHEREAS, there is presently remaining \$56,932.50 in the MR-77b Account within the Monmouth County Community Development Program on behalf of the Township of Marlboro; and

WHEREAS, it is the desire of the Mayor and Township Council pursuant to the request of the Community Development representative to transfer those funds from the Thomas Lane Water Line Extension and Road Repair to Housing Rehabilitation; and

WHEREAS, if consent is granted by the County of Monmouth, the funds would then be made available to water hookups for those applicants who are eligible within the Morganville area; and

WHEREAS, the funds would be used for those who are income eligible homeowners within the designated target area and would also include the Burnt Fly area and property owners within the Spring Valley-Texas Road system;

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

1. That the Community Development representative for the Township of Marlboro be and she is hereby authorized and directed to seek approval to transfer the presently remaining balance of \$56,932.50 in the MR-77b Account so that the funds could be made available for water hookups for those applicants who would be mandated to hookup as a result of the water lines to be installed in the Morganville area.

2. That certified copies of this Resolution be furnished to the Community Development representative and to the County of Monmouth.

At this point Councilman Ginsberg thanked Councilwoman Mollica for all the time and hard work that she put into having the above Resolution come to pass.

The following Resolution #23-83 (Amendment to Little League Lease - fields) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #23-83

WHEREAS, the Township of Marlboro has previously entered into a lease agreement with the Marlboro Township Little League for the utilization of certain fields owned by the Marlboro Township Little League; and

WHEREAS, there is a need to clarify the use and occupancy provision of that lease;

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

1. That the Mayor and Township Clerk be and they are hereby authorized and directed to sign an amendment to the lease which would clarify the use and occupancy provision to read as per the attached proposed Addendum.

2. That certified copies of this Resolution be provided to the Recreation Commission of the Township of Marlboro and to the Marlboro Township Little League.

The following Resolution #24-83 (Appointment Comm. Devel. Rep. - Marie Santos ) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #24-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Mayor's appointment of Marie Santos to serve as the Community Development Representative be confirmed; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be provided to the Board of Chosen Freeholders of the County of Monmouth.

The following Resolution #25-83 ( Appointment MUA Comm. 5 year term - Ginsberg) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 1 in favor. (Nay - Stokes, and Absent - Ginsberg). Councilwoman Stokes explained that the reason for her no vote was that it had been agreed upon when she was first elected as a Councilwoman that they would not appoint another Councilperson to a second paid position. Councilwoman Mollica stated that the lines of communication can only be improved by this appointment.

RESOLUTION #25-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that Alan Ginsberg be and he is hereby appointed to the Marlboro Township Municipal Utilities Authority for a five (5) year term commencing on February 1, 1983 and ending on January 31, 1988 until a successor is duly appointed and qualified; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be furnished to the Marlboro Township Municipal Utilities Authority.

The following Resolution #26-83 (Appointment Zoning Bd. Alt. #2 - Radzely - 2 Yr) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #26-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that Edward Radzely be and he is hereby appointed as alternate member #2 of the Zoning Board of Adjustment for a period of two (2) years commencing immediately and ending on December 31, 1984.

The following Resolution #27-83 (Appointment Zoning Board - Rosen) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Stokes)

RESOLUTION # 27-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that Morris Rosen be and he is hereby appointed a member of the Zoning Board of Adjustment for a period of four (4) years commencing immediately and ending on December 31, 1986.

The following Resolution #28-83 (Mayor and Council endorsement for Weight Training Program at Marlboro High School) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #28-83

WHEREAS, the welfare and well being of the children of the Township of Marlboro has always had the highest priority to the Mayor and Township Council of the Township of Marlboro; and

WHEREAS, a presentation was made to the Mayor and Township Council by former Councilman Howard Klau, which brought to light the need for a weight training program in the Township of Marlboro; and

WHEREAS, adequate facilities for the location of the equipment and the creation of a program are available at the Marlboro High School; and

WHEREAS, in locating the equipment and creating the program at the Marlboro High School there would then become available to the residents of the Township of Marlboro the facilities and equipment presently located at the High School as well as the new equipment to be purchased; and

WHEREAS, the Mayor and Township Council have received a resolution showing unanimous support by the Recreation Commission for this proposed weight training program;

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

1. That the Mayor and Township Council hereby endorse the creation of a new weight training program to be located at the Marlboro High School.

2. That this Resolution serve as a declaration of intent for the Mayor and Township Council to provide an amount up to \$10,000.00 through its capital program for the purpose of providing additional equipment for this program to be located at the Marlboro High School.

3. That the program be made available to the residents of the Township of Marlboro through the Recreation Commission of the Township of Marlboro.

4. That Arthur Goldzweig, the Township Attorney, be and he is hereby authorized and directed to meet with the attorney for the

Freehold Regional High School Board of Education for the purpose of reaching an understanding with regard to this program.

5. That former Councilman Howard Klau be and he is hereby appointed representative of the Mayor and Township Council of the Township of Marlboro for the purpose of meeting with representatives of the Freehold Regional High School Board of Education.

The following Resolution #29-83 (Declaration of Intent - Marlin Estates) was introduced by the Township Attorney, Arthur Goldzweig, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #29-83

WHEREAS, the sewerage of a development in the Township of Marlboro known as Marlin Estates has been of the highest priority of the Mayor and Township Council of the Township of Marlboro; and

WHEREAS, the Mayor and Township Council have made every effort to facilitate this sewerage of Marlin Estates; and

WHEREAS, there presently exists an imminent health hazard within Marlin Estates as a result of the present sewerage situation; and

WHEREAS, the Mayor and Township Council have appealed on numerous occasions to the Western Monmouth Utilities Authority, to the State Department of Environmental Protection, to the Federal Environmental Protection Agency, to the Monmouth County Legislative Delegation and to our Congressmen and U.S. Senators; and

WHEREAS, the project has received a great deal of cooperation from the Monmouth County Department of Health and the Monmouth County Health Officer; and

WHEREAS, the project has received the cooperation of the developer of a shopping center to be located at the intersection of Route 520 and Route 9 as well as the cooperation of a prospective developer of a residential community; and

WHEREAS, the Mayor and Township Council have learned that the project may receive partial funding; and

WHEREAS, it is estimated that the total cost of the project will be in excess of \$900,000.00 and that a portion in excess of \$400,000.00 will be non-eligible for funding; and

WHEREAS, the Mayor and Township Council have been informed by the Western Monmouth Utilities Authority that it would not fund all of the ineligible costs.

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

1. That the Marlin Estates sewer project is deemed to have the highest priority because of the certification of the imminent health hazard that presently exists.

2. That this Resolution shall serve as a declaration of intent for the Mayor and Township Council of the Township of Marlboro to fund an amount equal to one-half of the ineligible costs, provided that such costs do not exceed a total of \$500,000.00 so that the Marlboro Township's share will not exceed \$250,000.00.

3. That this intent is subject to and conditioned upon the Western Monmouth Utilities Authority funding the balance of the ineligible costs.

4. That certified copies of this Resolution be provided to the Western Monmouth Utilities Authority.

The following Resolution #30-83 (Renewal Trailer Park Licenses - 1983) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #30-83

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 is hereby approved for the calendar year 1983;

Midway Mobile Home Court  
c/o Basser and Kaufman  
335 Central Avenue  
Lawrence, New York 11559

Robertsville Mobile Park  
RD #3 Box 206 Highway 9  
Englishtown, New Jersey

Wickatunk Village Inc.  
RD #1, Crine Road  
Morganville, New Jersey 07751

WHEREAS, the above-named applicants have paid the fees due for the year 1983 Trailer Park License:

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

The following Resolution #31-83 (SCAT Agreement) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #31-83

WHEREAS, the Board of Chosen Freeholders of the County of Monmouth have established the Monmouth County Special Citizens Area Transportation (SCAT); and

WHEREAS, the Township of Marlboro has previously participated in the program; and

WHEREAS, it is the policy of the Mayor and the Township Council of the Township of Marlboro to enter into a contract to continue said program;

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

1. That the Mayor and the Township Clerk be and they are hereby authorized and directed to enter into a contract with the Board of Chosen Freeholders to participate in the SCAT program.
2. That certified copies of this Resolution be furnished to the Monmouth County Board of Chosen Freeholders.

The following Resolution #32-83 (Gypsy Moth Control Program) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #32-83

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 the Monmouth County Shade Tree Commission and that application for any Federal, State or County funds available be authorized.

NOW, THEREFORE, BE IT 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, is hereby authorized to suppress this forest pest.

The following Resolution #33-83 (Bond Reduction - Triangle Oaks West) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #33-83

WHEREAS, D.M.W. Inc. has requested the release of certain Performance Bonds with respect to a development known as Triangle Oaks West; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated January 19, 1983 prepared by the Township Engineer, David Birnbaum, P.E.;

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

1. Section 1 - The Performance Bond which now totals \$75,000.00 shall be reduced to \$18,591.00. Upon the release of this Bond, there shall be posted with the Township a two year 15% maintenance Bond in the sum of \$20,070.00.

2. That this release is subject to and contingent upon the payment of inspection fees in the amount of \$7,620.00.

3. That a certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to D.M.W. Inc..

The following Resolution #34-83 (Authorize BA Advertise Bids for: Construction of Morganville First Aid Bldg.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #34-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Assistant 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:

CONSTRUCTION OF MORGANVILLE FIRST AID BUILDING

Councilman Ginsberg stated that for the record he would like it known that he does not intend to run for re-election in November under any circumstances. He also feels that when there has been a Council representative on a board or agency, that board or agency has served the Township much better.

Public Session - No one wished to speak.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 8:30 P.M..

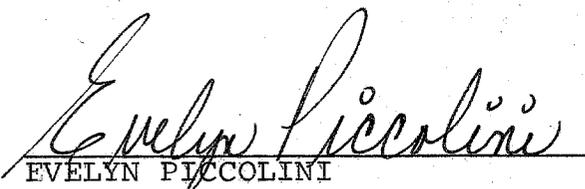
MINUTES APPROVED: February 24, 1983

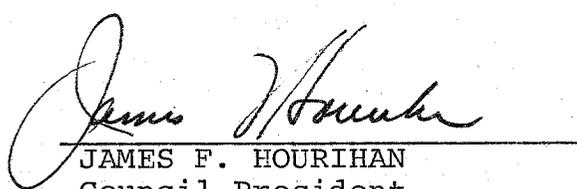
OFFERED BY: Councilman Ginsberg

AYES: 5

SECONDED BY: Councilman Lerner

NAYS: 0

  
EVELYN PICCOLINI  
Township Clerk

  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

FEBRUARY 10, 1983

The Marlboro Township Council held a regular meeting on Thursday, February 10, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Township Clerk called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President announced that pursuant to the provision of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Council President then opened the Citizen's Voice portion of the meeting. Bernie Preis - wanted to know if there was an Industrial Commission in the Township and isn't it time for more Industry in the Township? The Mayor informed him that there was a Commission but the Director has not held a meeting. They are in the process of studying the commercial tax rolls. Also, there is a 15 acre Industrial Park due to come before the Planning Board soon.

William Hamilton - an attorney, spoke on behalf of the residents of Midway Trailer Park. The families have been served with a notice to quit. About 8 months ago they came to the Council seeking their help in this matter. Since then very little has happened. They do not want to lose their homes and they won't without a fight. (Seek to overturn the Zoning Ordinance) Council President Hourihan stated that he had offered to meet with a representative of the families some time ago but he never heard from them. Councilwoman Mollica stated that a letter had been received from Community Development stating that there were no funds available for this. The Mayor stated that he was willing to meet with Mr. Hamilton on Monday or Tuesday in order to discuss a solution to this problem. The Council President asked that a list of lands owned by the Township be made available to the Council.

Lotta Burke - stated that she wished to have Washington's Birthday designated as Heritage Day for Marlboro Township. On February 21 there will be a small reception in the Township Hall at 1:00 P.M. commemorating Heritage Day.

Administrative Report - The Mayor stated that there is a snow storm predicted for the next day and he reminded the people that there is an Ordinance against parking in the street when there is a snow storm. The Ordinance is for the protection of the people and he hoped that all would obey it.

The Mayor then presented a Proclamation to the Boy Scouts stating that the week of February 6-12 will be designated as Boy Scout Anniversary Week.

The following Resolution #35-83/Ordinance #1-83 (Designating "Through Streets") was opened for Public HEARING. There being no one who wished to speak, the Public Hearing was declared closed. Resolution #35-83/Ordinance #1/83 was then introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #35-83

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

ORDINANCE #1-83

AN ORDINANCE DESIGNATING "THROUGH STREETS" 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.

The Public Hearing was then opened on Resolution #36-83/Ord.#2-83 (Establishing Speed Limit - Gordons Corner Road). Susan Abramson thought that the 40 MPH was too much for a residential area. The price of a speeding ticket should be raised, not the speed limit. Lt. Stover stated that a realistic speed limit is what they are concerned with. There have been 8 accidents due to passing. 25MPH is an unrealistic speed limit for that road. Judge Kenduck stated that 25 MPH breeds contempt for the law and puts the police in an untenable position. Ellie Schulman stated that years ago she was an advocate for 25 MPH but since the road has been widened and other improvements put in, it is no longer necessary to keep the 25 MPH. It encourages tailgating and passing. Harold Mermal spoke in favor of the 40 MPH and Bob Worland spoke against it. Both used the same reasons for their opinions that have been expressed previously. At this point Mrs. Abramson spoke again and asked the Council to consider the children who would be using that road to get to the Municipal Swim Club. The Public Hearing was then declared closed.

The following RESolution #36-83/Ordinance #2-83 was then introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 4 -1 in favor. (Nay - Stokes) Councilwoman Stokes stated that she would cast a nay vote because she was in sympathy with the people who had children. Councilman Lerner stated that he voted aye because he wanted to support the police effort to make the roads safer.

RESOLUTION #36-83

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

ORDINANCE #2-83

AN ORDINANCE ESTABLISHING SPEED LIMITS ON CERTAIN ROADS WITHIN 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.

The Public Hearing was then opened on Resolution #37-83/Ord#3-83 (No Parking Zones Hemlock Lane). There being no one who wished to speak, the Public Hearing was declared closed. The following Res.#37-83/ Ordinance #3-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #37-83

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

ORDINANCE #3-83

AN ORDINANCE CREATING CERTAIN NO PARKING ZONES ON HEMLOCK LANE IN THE TONWSHIP 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.

The following Resolution #38-83 (Affirmation of ZB82-5156 - Gary Beck) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #38-83

WHEREAS, Doctor Gary Beck, pursuant to the Land Use Statute and the Marlboro Township Ordinances, appeals to the Mayor and Township Council of the Township of Marlboro from a decision of the Zoning Board of Adjustment of the Township of Marlboro; and

WHEREAS, the Township Council has been provided with a transcript of the proceedings before the Zoning Board of Adjustment; and

WHEREAS, the Township Council has been provided with the entire record as well as all documents which were before the Zoning Board of Adjustment; and

WHEREAS, proper notice has been given and all parties were provided with an opportunity to be heard with regard to the appeal before the Township Council of the Township of Marlboro; and

WHEREAS, on January 20, 1983 that appeal was heard by the Township Council; and

WHEREAS, the Township Council has studied the entire record and transcript of the proceedings below including Doctor Beck's application for the construction of a home and office in the PAC Zone; and

WHEREAS, the Township Council of the Township of Marlboro continued its deliberations with regard to the application at its Workshop meeting of February 2, 1983; and

WHEREAS, by unanimous vote of the Township Council it was determined that the Zoning Board Resolution #ZB82-5156 would be affirmed and that this Resolution would memorialize that affirmation;

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

1. That the decision of the Zoning Board of Adjustment in the application of Doctor Gary Beck as contained in Resolution#ZB82-5156 be and it is hereby affirmed in its entirety.

2. That certified copies of this Resolution be furnished to all interested parties.

3. That a brief notice of the decision shall be published in an official newspaper of the Township of Marlboro.

The following Resolution #39-83 (Raffle License No. RA4-83 Marlboro Jewish Center) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #39-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License No. RA: 4-83 is hereby granted to Congregation Ohev Shalom (Marlboro Jewish Center) for a Raffle to be held on May 14, 1983. The drawing to be held at the Center at 8:00 P.M..

The following RESolution #40-83 (Refund Overbilling of 1982 Preliminary Tax Bills - \$6,923.31) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #40-83

WHEREAS, the attached list in the amount of \$6,923.31 known as Schedule "A" is comprised of amounts representing overbilling on 1982 preliminary tax bills.

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 \$6,923.31 to the property owners.

SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
3	4A	John Barbegetata	\$ 19.52
3	11Q	Michael & Rose Manzo	47.21
3	12Q	Louis & Kathleen Aiese	14.64
3	23Q	Frederick Goosman	86.19
3	25	Caliendo, Finkelstein & Hoffman	132.45
12	5	John Altobelli	7.94
12	7	Sebastian Corcione, Jr.	47.71
19	11	Eugene & Frank Fariello	8.83
20	2Q	James Fariello	2.03
21	4	Thomas W. & Dorothy J. Geran	6.51
21	12Q	Margit Voss	21.59

BLOCK	LOT	ASSESSED OWNER	AMOUNT
21	25Q	Mohamed S. Yassin et als	\$ 25.54
21	26	Thomas W. Gerin et al	7.11
21	27Q	Thomas W. & Dorothy J. Geran	14.11
21	33	Thomas W. & Dorothy J. Geran	3.86
22	13Q	Eugene & Frank Fariello	14.02
22	18	Thomas W. & Dorothy J. Geran	7.86
22	19	" " " " "	2.03
22	20	" " " " "	13.00
23	15	Eugene & Frank Fariello	4.07
23	17Q	James & Anna Fariello	1.83
24	9	T.A. Antisell	59.35
24	13	Molly Pitcher Investment Co.	35.78
25	1	Samuel Enter, Inc.	91.53
25	14	Braha, Teddy & Harary, Leon	78.37
26	4Q	Becker, Frank & Evelyn	12.20
26	6	Pelos, Marciello & Evaldi	75.21
26	15	Srs. of Our Lady of the Good Shep	14.23
27	21	" " " " " " "	162.60
26	20Q	Ransom, Edoma & Jeanette	22.44
26	20BQ	Barbosa, Wm. J. & Patricia	4.47
26	21Q	Beacon Hill Farms, Inc.	7.16
26	21BQ	Nicolosi, Frances, Carl & Thomas	14.64
27	15	Stafflinger, Philip & Emilia	48.18
27	19	D Urso, Giuseppe & Ada	25.41
27	22	Neidlenger, Samuel & Gertrude	35.61
27	48Q	Compoly, Joseph H. & Marytl	16.48
27	49Q	Halloran, Mary	101.02
29	4	Marlboro-Seventy-nine Inc.	60.26
31	3Q	Preston, Rhea & Aileen	9.89
31	4Q	Fisher, Roscoe & Adeline	6.27
33	12Q	Spain, Frederick & Gertrude	4.07
33	13Q	Romano, Jr, John	36.59
33	19Q	Wirth, Patricia	7.32
33	27Q	Rigas Bros. Cons. Inc.	23.99
33	33Q	Sheinberg, Dolores	20.74
33	33AQ	Smith, James J. & Catherine M	59.16
34	8Q	Boehme, Alfred D.	42.09
34	20	Fisher, Roscoe & Adeline A.	4.23
34	22	Preston, Edwin & Gloria	43.29
35	8Q	Koons, Aletha V.	18.30
38	21B	Falco, Richard & Nancy	14.23
38	35A	Rucker, Josephine M.	.47
40	2Q	Nunziato, Salvatore	10.25
40	3	Wassertheil, David and Malka	31.39
40	11	Scorobgna, Aristo & Matilda	1,168.04
40	16	" " "	108.73
40	14Q	Panzer, Milford D.	39.03
46	9AQ	Siano, Benjamin & Betty	8.13
40	18Q	Cruz Construction Co. Inc.	116.44
40	21Q	Nappi, Ralph A.	28.22
40	23Q	Goldsmith, Nadine	29.89
41	2	Sleepy Hollow V. Co.	134.66
42	1Q	Hoppe, Clemens T. & Carole Ann	48.78
42	2	Marz, Marion et als	241.93
42	2Q	" " " "	81.72
42	2BQ	Marz, Mary S.	7.32
42	3Q	Dimeo, Ralph & Gerard	75.71
46	10Q	" " "	22.69

BLOCK	LOT	ASSESSED OWNER	AMOUNT
44	3Q	Stonebridge Realty Corp.	\$ 19.03
46	1Q	Stafflinger, Philip P.	6.88
46	2BQ	Ciarmello, Samuel A. & Carol L	13.02
46	9	D Arpa, Angelo, et als	91.47
48	7	Kovacs, O.R. & R.	46.18
48	9Q	Crine, Ellen	13.42
48	10Q	Robbins L. & Feldman M. Trustees	178.86
48	10AQ	Flegenheimer, David & Lois	16.26
48	12	Kovacs, Oliver & Rader	68.10
48	12AQ	Traphagen, Henry E. & Edith M.	16.83
50	7	Conlon, Bernard P.	91.32
51	31Q	Doherty, John H. & Prudence C.	13.94
52	3Q	D Urso, Giuseppe & Ada	21.72
53	2	Pheasant Associates	52.07
55	15	Mal-Mar Dev. Corp.	38.11
56	8	" " " "	121.70
56	2Q	Casola, Carmine & Janet	7.92
56	11	Luxembourg, IDA	32.71
56	16	Saracco Realty Co,	51.76
57	10	Holland Farms, Inc.	31.68
57	10CQ	Holland, Robert M. & Dorothy S.	11.09
57B	8	Pollution Control Industries, Inc	6.38
57B	9	" " " "	3.37
57B	10	" " " "	3.31
57B	11	" " " "	7.09
57B	12	" " " "	5.45
57B	13	" " " "	5.98
57D	2	" " " "	6.59
57D	3	" " " "	2.58
57D	4	" " " "	2.38
57D	5	" " " "	2.38
57D	6	" " " "	2.78
57D	7	" " " "	2.89
57E	1	" " " "	5.39
57E	2	" " " "	8.32
57F	1Q	" " " "	10.30
57F	2	" " " "	5.41
57F	3	" " " "	2.91
57F	4	" " " "	3.63
57F	5	" " " "	8.48
58	14Q	Manzo, Michael Const. Co.	194.20
59	9Q	Yoncak, Walter S. & Irene	14.97
62	1	Wikoff, Charles	21.35
62	84	Wikoff, Charles	33.16
63	1	Wikoff, Charles	8.21
64	2Q	Yoncak, Alex	12.78
64	4	Yoncak, Alexander & Virginia	9.37
65CC	10	Woroniecki, Bogdan E. & Jilla N.N.	765.12
70	60B	WERbler, David & Katz, Herman	62.48
71	1Q	Holland, Harvey & Johanna	3.51
73	1	" " "	2.38
71	12B	Holland, Harvey Jr. & Consula	2.55
71A	1Q	" " "	5.39
71	35	Strother Jr. Wm. M. & Eleanor L.	17.75
71	43	Maghan, Edgar & Oliver	10.95
71	46	Maghan, Edgar & Oliver	6.91
74	9	Holland Farms, Inc.	15.84
74	12	Holland, Harvey V. Sr. et als	41.58

BLOCK	LOT	ASSESSED OWNER	AMOUNT
74	13Q	Holland, A.J. et al	\$ 39.60
74	17	Holland, Harvey V. Sr et als	79.05
75	2Q	Buckley, Lila et als	50.58
75	4Q	Zebo, Timothy & Barbara	15.84
75	6	Maghan, Ed	2.96
76	4	Faith Invest. Corp.	12.40
77	9Q	Pederson, Ronald & Sandra	18.02
77	9AQ	" " "	9.43
77	10Q	Carratello, Dominick & Judith A.	9.87
77	11	Buckley, Thomas et al	30.10
77	37	Kaufman, David S.	102.13
79	9	Faith Invest. Corp.	87.09
80	7AQ	Stynes, James & Eileen	11.09
79	11Q	Buckley, Thomas et al	24.48
80	10	Papernik, John A.	16.24
80	11	Morello, John	28.60
80	16Q	Lewicki, Irene	11.96
81	13AQ	Great Lakes Home & DEv Corp.	25.56
81	16	Kaplan, Nathan	132.83
82	4	" "	15.84
82	12Q	Sabo, Dorothy B.	10.05
82	19	Big Acre Home & Dev.	48.87
84	1	Kramer, Morton P.	26.93
86	3	" " "	31.61
82	21Q	Prime Feather Co.	17.43
TOTAL			\$6,923.31

The following Resolution #41-83 (Refund Overpayments of 1982 Taxes - \$14,494.35) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

#### RESOLUTION #41-83

Whereas the attached list in the amount of \$14,494.35 known as Schedule "A" is comprised of amounts representing overpayments of 1982 taxes.

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 \$14,494.35 to the taxpayers as listed in Schedule "A".

#### SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
25	13	Butler, M. & Ellen & Lauser, W. & R.	\$ 31.69
49B	14	Hwang, Lung-Shen & Shu-Nu	288.36
49B	41	Wimberger, Jeff & Kathy	288.36
49F	9	Brumbaugh, Robert B. & Jane	317.18
50A	3	Russell, Douglas J. & Rose A.	708.32
50A	7	Costantini, Ralph J. & Janet M.	758.63
50B	12	Ramamurthy, K.K. & Kamala	844.60
50D	16	Failia, Vincent & Carmela	600.19

BLOCK	LOT	ASSESSED OWNER	AMOUNT
56	33B	Burst, Walter & Louise	\$ 17.27
57	13	Marlboro Industrial Park	69.85
60V	31	U.S. Home & Dev. Corp.	4,332.12
63N	64	Marlboro Woods	2,800.75
81O	35	Wiltshire, Wm.R & Sandra L.	176.40
81P	6	Fulton, John T. & Helen C.	185.21
60G	17	Bauer, Moe & Evelyn	1,497.87
62E	16	Columbia Savings & Loan Assc.	1,577.55
TOTAL			\$14,494.35

The following Resolution #42-83 (Senior Citizen Deductions) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #42-83

WHEREAS, THE ATTACHED LIST in the amount of \$400.00 known as Schedule "A" is comprised of amounts representing Senior Citizen deductions granted after 1982 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 \$400.00 to the property owners.

SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
19	7	Slater, Ernest & Gladys	\$225.00
26C	15	Ulbrich, Wm. & Martha	175.00
TOTAL			\$400.00

The following Resolution #43-83 (Refund Veteran Deductions) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #43-83

WHEREAS, the attached list in the amount of \$100.00 known as Schedule "A" is comprised of amounts representing Veteran deductions granted after 1982 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 \$100.00 to the property owners,

SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
58K	4	Donis, Gerald & Susan	\$ 50.00
63G	22	Pall, Robert R. & Caryn M.	50.00
			<u>\$100.00</u>

The following Resolution #44-83 (Release Tax Collector from Collection) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #44-83

WHEREAS, the attached list in the amount of \$.07 known as Schedule "A" is comprised of amounts too minor to collect or refund.

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

SCHEDULE "A"

BLOCK	LOT	ASSESSED OWNER	AMOUNT
2	10J	Smith, Edwin C. & Lynda J.	\$ .06
2A	8	Egen, Dennis E.	1.33
48	10	Robbins, L. Feldman M. Trustees	.01
62E	37	Gleich, Stuart M, & Debra S.	<u>.01</u>
			Too Minor to refund ----\$1.41
22	14	Anderson, Serena B. Ward	.33
33B	2	Nikola, Lawrence E. & June L.	.01
62	83	Hirsch, Elfride	.06
81	13A	Great Lakes Home & Dev. Corp.	.47
810	26	Chlup, Harold R. & Marylin D.	<u>.47</u>

Too Minor to collect----\$1.34

Amount to be cancelled --\$.07

The following Resolution #45-83 (Support of Chapter 107, Laws 1982) was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #45-83

WHEREAS, Chapter 107, Laws 1982 became effective on October 3, 1982 and requires that all materials used on private projects that will be eventually owned and maintained by a municipality must be manufactured in the United States, where available; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro support this type of legislation;

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

1. That the Marlboro Township Municipal Utilities Authority and the Western Monmouth Utilities Authority be and they are hereby urged to adopt specifications which would require that sanitary and storm sewer facilities be manufactured in the United States wherever available.

2. That the Township Engineer review the Marlboro Township Sub-division Ordinance to determine what other areas this State Statute can be applied to.

3. That certified copies of this Resolution be provided to the Township Engineer, The Marlboro Township Municipal Utilities Authority and the Western Monmouth Utilities Authority.

The following Resolution #46-83 (Appointment of Public Defender - Fredrick P. Niemann - 1 year term) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #46-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Mayor's appointment of Fredrick Paul Niemann to the office of Public Defender for a term beginning immediately and ending on December 31, 1983, be and it is hereby confirmed.

The following Resolution #47-83 (Authorize Acting Business Administrator advertise for Library Furniture and Shelving) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #47-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting 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:

LIBRARY FURNITURE AND SHELVING

The following Resolution #48-83 (Bond Release Hoal Assoc. Sections 4,5,6 and 7 - Prides Crossing) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #48-83

WHEREAS, Hoal Associates has requested the release of certain Performance Bonds with respect to Sections 4,5, 6 and 7 of a development known as Prides Crossing; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated February 3, 1983 from the Township Engineer, David Birnbaum PE; and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full;

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

Section 1. The Performance Bond for Section 4 which now totals \$372,074.56 shall be reduced to \$155,605.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$32,470.00.

Section 2. The Performance Bond for Section 5 which now totals \$188,035.00 shall be reduced to \$100,556.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$13,122.00.

Section 3. The Performance Bond for Section 6 which now totals \$298,490.00 shall be reduced to \$52,630.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$36,879.00.

Section 4. The Performance Bond for Section 7 which now totals \$148,637.00 shall be reduced to \$38,999.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$16,446.00.

Section 5. A certified copy of this Resolution shall be furnished to the Township Engineer and to Hoal Associates.

The ~~next~~ Resolution #49-83 (Bond Release Dirage Corporation - Section 1 - Westbrook Estates) was tabled for reason of further discussion.

The following Resolution #50-83 (Replacement Bonds US Home Corp/Hoal Associates was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

#### RESOLUTION #50-83

WHEREAS, the U.S. Home Corp. has transferred sections of a subdivision known as Whittier Oaks, Sections 19, 19A and 20 to Hoal Associates, Inc.; and

WHEREAS, Performance Bonds for the three sections underwritten for American International Companies were posted; and

WHEREAS, Hoal Associates, Inc. have furnished new Performance Bonds for each of the three sections:

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

1. That upon acceptance of the Performance Bonds furnished by Hoal Associates, Inc. for Sections 19, 19A and 20 of a subdivision known as Whittier Oaks, the Performance Bonds for the same sections originally posted by the U.S. Home Corp. shall be released.

2. That certified copies of this RESolution be furnished to the Township Engineer, U.S. Home Corp. and Hoal Associates, Inc..

The Agenda having been completed, the Council President then opened the Public Session portion of the meeting. There being no one who wished to speak, the Public Session was declared closed.

Councilman Ginsberg moved that the meeting be adjourned. This was seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 9:30 P.M..

Minutes Approved: March 24, 1983

OFFERED BY: Councilwoman Stokes

AYES: 5

SECONDED BY: Councilwoman Mollica

NAYS: 0

  
\_\_\_\_\_  
EVELYN PICCOLINI  
Township Clerk

  
\_\_\_\_\_  
JAMES F. HOURIHAN  
Council President

MARLBORO TOWNSHIP COUNCIL MEETING

FEBRUARY 24, 1983

The Marlboro Township Council held a regular meeting on Thursday, February 24, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Township Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka. Mayor Saul Hornik arrived a few minutes after the meeting started.

The Council President opened the Citizen's Voice portion of the meeting. No one had signed up to speak so the Citizen's Voice was declared closed.

Administrative Report - Deputy Mayor Belil complimented the Police Department and the Road Department for the good work done by them during the snow storm a couple of weeks ago.

Councilman Ginsberg moved that the minutes of the Council Meeting of January 27, 1983 be approved. This was seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

The following Resolution #51-83/Ordinance #4-83 (Amendment to Sect. 517 of the Zoning Ordinance) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor. Council President Hourihan noted that this Res. #51-83/Ord. #4-83 is to be referred to the Planning Board for their approval.

RESOLUTION #51-83

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

ORDINANCE #4-83

"AN ORDINANCE SUPPLEMENTING AND AMENDING 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 ENFORCEMENTS OF THE PROVISIONS OF THE ORDINANCE."

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 24, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #4-83

"AN ORDINANCE SUPPLEMENTING AND AMENDING 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 ENFORCEMENTS OF THE PROVISIONS OF THE ORDINANCE"

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

Section 517.1.1 Administrative Offices solely related to the primary industrial function being performed except as permitted by Section 517.1.2(a)

Section 517.1.2 (a) Administrative Office Buildings limited to executive or administrative or business service office of industrial or business concerns.

Section 517.1.2(b) Industrial Research Laboratories limited to experimental research and testing laboratories. at which products or goods are not produced for sale, provided that no operation shall be conducted or equipment used which would create hazardous noxious or offensive conditions beyond the boundaries of the property involved.

The following Resolution #49-83 (Bond Release Westbrook Estates - Section 1) which was tabled at meeting of February 10, 1983 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #49-83

WHEREAS, Dirage Corporation has requested the release of a certain Performance Bond with respect to Section 1 of a development known as Westbrook Estates; and

WHEREAS, the bond balance which is a cash bond in the amount of \$1,570.00 is posted to cover the remaining amount of shade trees required in the development; and

WHEREAS, the Dirage Corporation has been joined by the Homeowners Association of Westbrook Estates in requesting permission to construct a decorative wall at the entrance to the development but on Township property; and

WHEREAS, each of the affected homeowners has signed a request that the Township of Marlboro waive the shade tree requirement and has stated that the homeowner will make certain plantings in lieu of the shade tree requirement; and

WHEREAS, the Planning Board of the Township of Marlboro by Res. #PB219-82 has approved the plan for a decorative wall at the intersection of Route 520 and Westbrook Drive (see sketch of Plot Plan prepared by Engineering, Surveying and Planning Associates attached hereto and made a part hereof);

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

1. That the cash bond for Section 1 covering shade trees in the amount of \$1,570.00 be released.
2. That the proposed construction of a decorative wall at the entrance to the development on Route 520 and Westbrook Drive be approved in accordance with the plans approved by the Planning Board and the Township Engineer.
3. That the construction conform to the site triangle requirements of the Township of Marlboro and the State of New Jersey.
4. That the Homeowners Association agree to take full responsibility for the maintenance of the decorative wall upon its completion.
5. That certified copies of this Resolution shall be furnished to the Township Engineer, Dirage Corporation and the Westbrook Homeowners Association.

At this point the Mayor presented Donald McNab with a proclamation honoring his achievement of becoming an Eagle Scout.

The following Resolution #52-83 (Bond Release Triangle Farms) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #52-83

WHEREAS, Triangle Farms has requested the release of certain Performance Bonds with respect to a development known as Triangle Farms; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated February 17, 1983 prepared by the Township Engineer, David Birnbaum, P.E.;

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

1. Section 1. The Performance Bond which now totals \$21,368.00 shall be released and reduced to zero. Upon the release of this Bond, there shall be posted with the Township a two year 15% Maintenance Bond in the sum of \$2,836.00 and a five year Maintenance Bond in the sum of \$31,896.00.
2. That this release is subject to and contingent upon the payment of additional inspection fees in the amount of \$19,552.36.

3. That a certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to Triangle Farms.

The following Resolution #53-83 (Bond Release Select Representatives, Inc) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #53-83

WHEREAS, Select Representatives, Inc. has requested the release of a certain Performance Bond with respect to a site plan located at Ginesi Drive; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated February 17, 1983 from the Township Engineer, David Birnbaum, P.E.; and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full;

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

A. The Performance Bond which now totals \$5,660.00 shall be reduced and released to zero. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$849.00.

B. A certified copy of this Resolution shall be furnished to the Township Engineer and to Select Representatives, Inc..

The following Resolution #54-83 (Transfer - \$5,000.00) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #54-83

WHEREAS, certain appropriations in the 1982 Budget have been determined to have insufficient funds for the balance of the Budget year; and

WHEREAS, N.J.S. 40A:4-59 allows transfers to be made between line item appropriations during the first three months of any fiscal year for the immediately preceding fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the following transfers be made:

FROM

Gasoline \$5,000.00

TO

Tax Title Lien \$5,000.00

The following Resolution #55-83 (Adjustment to 1983 Temporary Budget - Insurance - \$12,000.00) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #55-83

WHEREAS, in the normal operation of the business of the Township of Marlboro, it will be necessary for making contract, 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 total amount of appropriations in the original Temporary Budget was \$920,083.50; and

WHEREAS, this Resolution appropriates an additional \$12,000.00 for insurance; and

WHEREAS, the total appropriation including this adjustment of \$932,083.50 does not exceed 25% of the total budget appropriations of the Township of Marlboro for 1982, exclusive of any appropriations made for debt service, or capital improvement fund;

NOW, THEREFORE, BE IT RESOLVED that the following Temporary Budget Adjustment for the Township of Marlboro for the year 1983 be adopted and a certified copy of this Resolution be forwarded to the Township Finance Director for his records:

Insurance -----\$12,000.00

The following Resolution #56-83 (Time Periods between Promotions/ Patrolman) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #56-83

WHEREAS, within the Marlboro Township Division of Police there exists the following categories of patrolmen:

PROBATIONARY PATROLMAN  
PATROLMAN THIRD CLASS  
PATROLMAN SECOND CLASS  
PATROLMAN FIRST CLASS

WHEREAS, patrolmen are hired as probationary patrolmen and then by promotion eventually rise to the rank of Patrolman First Class; and

WHEREAS, at this time the Marlboro Township Division of Police has no patrolmen ranking below that of Patrolman First Class; and

WHEREAS, it is the recommendation of the Chief of Police that pursuant to good management practices and good police practices it is appropriate to have patrolmen working at all levels; and

WHEREAS, the Chief of Police has recommended to the Mayor and Township Council that the time period between promotions from Probationary Patrolman through Patrolman Third Class, Patrolman Second Class and finally to Patrolman First Class be increased;

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

1. That it shall become the policy of the Township of Marlboro to have a patrolman serve the following minimum periods prior to promotion:

- Probationary Patrolman - 1 year
- Patrolman Third Class - 18 Months
- Patrolman Second Class - 24 Months

2. That the Chief of Police make recommendations to the Mayor and Township Council for additional steps within the salary range for each class of patrolman.

3. That certified copies of this Resolution be furnished to the Chief of Police and to P.B.A. Local 196.

The following Resolution #57-83 (Additional Weight Training Equipment - Marlboro High School) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

Councilwoman Mollica stated that she was disturbed by an article in a newspaper stating that the Council was interfering with the Freehold Regional School Authority. Mayor Hornik then read correspondence at this time between him and Superintendent Crespy concerning this matter. (attached to Resolution) Councilman Ginsberg stated for the record that he has a problem with the way the entire matter was handled.

RESOLUTION #57-83

WHEREAS, by Resolution #28-83 the Mayor and Township Council of the Township of Marlboro express an intent to provide an amount up to \$10,000.00 for the purpose of providing additional equipment for a weight training program at the Marlboro Branch of the Freehold Regional High School District; and

WHEREAS, as a result of subsequent meetings and conferences a draft of an Agreement has been proposed; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have reviewed the draft and find it acceptable in principle;

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

1. That the draft of the proposed Agreement between the Township of Marlboro and the Freehold Regional High School District Board of Education attached hereto and made part hereof is approved by the Mayor and Township Council.

2. That the approval is subject to and contingent upon the funding required in the amount of \$10,000.00.

3. That contingent upon said funding the Mayor and Township Clerk are hereby authorized and directed to enter into an Agreement with the Freehold Regional High School District Board of Education.

4. That certified copies of this Resolution be furnished to the Freehold Regional High School District Board of Education and its attorney, Diminick A. Cerrato, Esq. and former Councilman Howard Klau.

At this point in the meeting the Council President Hourihan stated that he wished to read a letter from a resident (Frank Dunn) complementing the Township Police Department on their performance during the recent snow storm. The Mayor stated that this is just one instance where the people were helped by the police. There were many others. Councilman Lerner complemented the Assistant Business Administrator, Alayne Shepler on her handling of the Township during the storm.

The Public Session portion of the meeting was then opened. There being no one who wished to speak, the Public Session was declared closed.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 8:40 P.M..

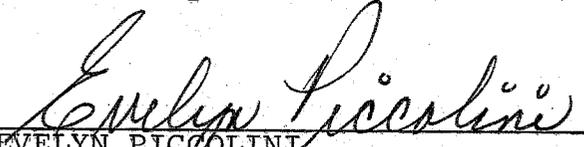
Minutes Approved: March 24, 1983

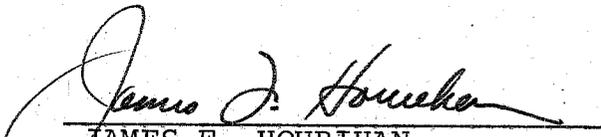
Offered by: Councilwoman Stokes

Ayes: 5

Seconded by: Councilwoman Mollica

Nays: 0

  
EVELYN PICCOLINI  
Township Clerk

  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

MARCH 10, 1983

The Marlboro Township Council held a regular meeting on Thursday, March 10, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Township Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. There being no one signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - Deputy Mayor Belil announced that on Saturday, March 12th butter will be given out to the needy at the Robertsville Fire House from 9:00 A.M. to 4:00 P.M..

The following Resolution #58-83/Ordinance #5-83 (Interlocal Services Agreement) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #58-83

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

ORDINANCE #5-83

AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED NOVEMBER 30, 1981

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 24, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #5-83

AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED NOVEMBER 30, 1981.

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1977, commonly known as Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Municipality of Marlboro and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Municipality of Marlboro to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Marlboro, that the agreement entitled, "Agreement to Modify Interlocal Services Agreement Dated November 30, 1981 for the Purpose of Inserting a Description of Activities for the Ninth Year Monmouth County Community Development Block Grant Program," a copy of which is on file in the Municipal Clerk's office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this Ordinance shall take effect immediately upon its enactment.

The following Resolution #59-83 (Change Order #4 Marlboro Municipal Park - Bituminous Walkways and Split Rail Fence) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #59-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Development of Marlboro Municipal Park; 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 4; 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 \$13,051.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment Leasing Co. shall remain in full force and effect. That upon acceptance by Consolidated Equipment Leasing 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 Consolidated Equipment Leasing Co. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #60-83 (Change Order #5 - Marlboro Municipal Park - Sprinkler System) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #60-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Development of Marlboro Municipal Park; 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 5; 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 \$13,000.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment Leasing Co., shall remain in full force and effect. That upon acceptance by Consolidated Equipment Leasing 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 Consolidated Equipment Leasing Co. with instructions to execute same and return to the Township Attorney's office forthwith.

The following Resolution #61-83 (Contract increased to \$18,500.00 for Community Development Projects - Texas Road) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #61-83

WHEREAS, by Resolution #247-82 adopted on September 9, 1982, the Township Council authorized the awarding of a Contract to Schoor, DePalma & Gillen, Inc. for services in connection with the Community Development Projects-Texas Road; and

WHEREAS, the amount of the Contract was \$13,909.00; and

WHEREAS, by letter dated February 17, 1983, a copy of which is attached hereto and made a part hereof, Schoor, DePalma & Gillen, Inc. requested that the Contract be increased to \$18,500.00; and

WHEREAS, the Township Council of the Township of Marlboro has reviewed that request and finds it in the best interest of the Township of Marlboro to award the increase;

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

1. That the Mayor and Township Clerk be and they are hereby authorized and directed to execute the extension agreement with Schoor, DePalma & Gillen, Inc., 356 Main Street, Matawan, N.J., extending the contract price to \$18,500.00.

2. That 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 Schoor, DePalma & Gillen, Inc. possesses a specialized knowledge in the engineering necessary for this project.

3. That this Resolution is subject to and contingent upon certification by the Finance Officer that the provisions of the Marlboro Township Bond Ordinances and the Community Development Block Grant have sufficient funds to extend the Contract to \$18,500.00.

4. That a notice of this action shall be printed once in an official newspaper of the Township of Marlboro.

The following Resolution #62-83 (Award of Bid for:Trophies, Medals and Plaques - Perry's II Trophy's) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #62-83

BE IT RESOLVED:

1.) PERRY'S II TROPHY'S  
be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

TROPHIES, MEDALS AND PLAQUES

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

PERRY'S II TROPHY'S  
298 Route 9 (Northbound)  
Manalapan, New Jersey 07726

on their low bid of (see attached)

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.

The following Resolution #63-83 (Award of bid for: Recreation T Shirts - Metuchen Center) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #63-83

BE IT RESOLVED THAT:

1. METUCHEN CENTER  
be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

RECREATION T SHIRTS (SEE ATTACHED)

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

METUCHEN CENTER  
400 Main Street, Metuchen, New Jersey 08840

on their low bid of  
see attached

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.

The following Resolution #64-83 (Granting Hoal Assoc, Inc. permission to Construct Decorative Sign) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #64-83

WHEREAS, Hoal Associates, Inc. has requested permission to construct and maintain a decorative sign at the entrance to a development formerly known as Section 19-A of a subdivision known as Whittier Oaks II; and

WHEREAS, the construction of the sign is proposed for property owned by the Township of Marlboro adjacent to and facing Topanemus Road at its intersection with Weathervane Way; and

WHEREAS, the proposal is contained in a set of drawings prepared by Engineering, Surveying and Planning of Howell, New Jersey, dated 2/2/83 which is attached hereto and made part hereof; and

WHEREAS, the Planning Board has reviewed the proposal and granted its approval in a Resolution dated March 2, 1983, a copy of which is attached hereto and made part hereof;

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

1. That the proposed construction of a decorative sign at the entranceway to the development known as Parc Chateau on Block 69-AA, Lot 1 and Block 60-V, Lot 80 be and it is hereby granted.
2. That the developer undertake the maintenance of the sign.
3. That the proposed construction conform to the drawings prepared by Engineering, Surveying and Planning of Howell, New Jersey, dated 2/2/83 and approved by the Planning Board and Township Engineer of the Township of Marlboro.
4. That certified copies of this Resolution shall be furnished to the Township Engineer and the developer.

The following Resolution #65-83 (Appointment to Welfare Board - Mollica) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. Absent - Mollica.

RESOLUTION #65-83

BE IT RESOLVED by the Mayor and the Township Council of the Township of Marlboro that Sally A. Mollica, Councilwoman, be and she is hereby appointed to the Welfare Board of the Township of Marlboro.

BE IT FURTHER RESOLVED that her term is for one year to commence immediately.

The following RESolution #66-83 (Appointment to Welfare Board - Simmons) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #66-83

BE IT RESOLVED by the Mayor and the Township Council of the Township of Marlboro that Nora Simmons be and she is hereby appointed to the Welfare Board to fill the unexpired term of Helen Sona. Said term is to expire on December 31, 1985.

At this point Councilman Lerner announced that there would be a free bicycle tune up and safety check at "Fun and Sports" from 3 - 5 P.M. on Saturday, March 25th. Said shop is located at the new shopping center at Route 9 and Route 520.

Deputy Mayor Belil welcomed Thomas Gibson and Richard Burns, political science students from Seaton Hall, to the Council Meeting.

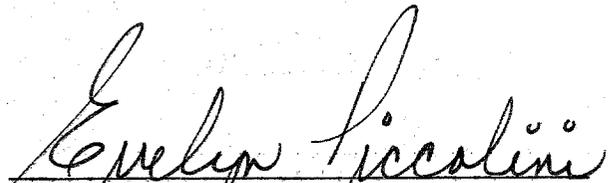
Public Session - No one wished to speak, so the Public Session was declared closed.

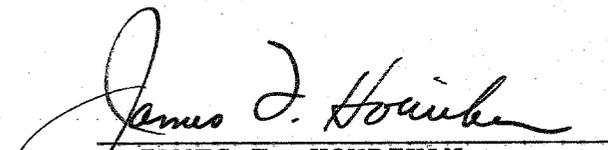
Councilman Lerner moved to adjourn this portion of the meeting. (There would be a continuation of the Budget meeting after the regular Council meeting.) This was seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 8:20 P.M..

Minutes Approved: April 14, 1983

Offered by: Councilwoman Stokes                      Ayes. 5

Seconded by: Councilwoman Mollica                      Nays: 0

  
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 EVELYN PICCOLINI  
 Township Clerk

  
 \_\_\_\_\_  
 JAMES F. HOURIHAN  
 Council President

MARLBORO TOWNSHIP COUNCIL MEETING

MARCH 24, 1983

The Marlboro Township Council held a regular meeting on Thursday, March 24, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township Of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Deputy Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler and Deputy Township Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. There being no one signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - There was none.

The following Resolution #67-83/Ordinance #4-83 (Amendment to the Zoning Ordinance) was opened for Public Hearing. There being no one who wished to speak the Public Hearing was declared closed. The Township Attorney then introduced Resolution #67-83/Ordinance #4-83 which was offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #67-83

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

ORDINANCE #4-83

"AN ORDINANCE SUPPLEMENTING AND AMENDING 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 ENFORCEMENTS OF THE PROVISIONS OF THE ORDINANCE."

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

The following Resolution #68-83/Ordinance #5-83 (Interlocal Services Agreement) was opened for Public HEaring. There being no one who wished to speak the Public Hearing was declared closed. Resolution #68-83/Ordinance #5-83 was then introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #68-83

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

ORDINANCE #5-83

AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED NOVEMBER 30, 1981.

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

The following Resolution #69-83/Ordinance #6-83 (Amend. to Swim Club Ord.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #69-83

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

ORDINANCE #6-83

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING AN ORDINANCE ENTITLED SWIMMING POOL FACILITY, CHAPTER 132 OF THE CODE 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 April 14, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #6-83

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING AN ORDINANCE ENTITLED SWIMMING POOL FACILITY, CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF MARLBORO."

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

Section 1. Chapter 132 of the Code of the Township of Marlboro shall be amended to add a new section following Section 132-4D to be known as Section 132-4D:

- (a) Members shall pay a fee of \$20.00 for lockers which may be made available by the Swim Club Division on a "first come first serve basis".

Section 2. This Ordinance shall become effective upon passage and publication according to law.

The following REsolution #70-83/Ordinance #7-83 (Amend. to Junk Yard Ord.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #70-83

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

ORDINANCE #7-83

"AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "JUNKYARDS AND JUNK DEALERS, CHAPTER 82 OF THE CODE 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 April 14, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #7-83

"AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "JUNKYARDS AND JUNK DEALERS, CHAPTER 82 OF THE CODE OF THE TOWNSHIP OF MARLBORO."

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

Section 1. Chapter 82 of the Code of the Township of Marlboro shall be amended as follows:

- (a) Section 82-2A shall be amended to read as follows: "The Mayor and Council shall grant eleven (11) licenses to the persons for the purpose of establishing, operating or maintaining a motor vehicle junkyard or business or retail and/or wholesale junkyard. No further licenses, over and above the amount listed and attached to this Article and identified by block and lot and legally operating as of August 12, 1982 according to records in the Office of the Assessor shall be granted."

Section 2. This Ordinance shall take effect immediately upon passage and publication according to law.

The following Resolution #71-83 (1983 Budget) was introduced by the Deputy Clerk, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #71-83

Section 1.

Local Budget of the Township of Marlboro, County of Monmouth for the fiscal year 1983.

BE IT RESOLVED that the following statements of revenues and appropriations shall constitute the local budget for the year 1983.

BE IT FURTHER RESOLVED that said budget be published in The Daily Register in the issue of April 15, 1983.

General Appropriations for:

(1) Appropriations within 5% "CAPS"	
(a) Municipal Purposes	\$3,345,106.27
(2) Appropriations excluded from 5% "CAPS"	
(a)Municipal Purposes	\$1,102,173.73
Total General Appropriations excluded from 5% "CAPS"	\$1,102,173.73
(3) Reserve for Uncollected Taxes -	\$ 601,792.00
Based on estimated $\frac{95.47}{40006-00}$ Percent of Tax Collections	
(4) Total General Appropriations	\$5,049,072.00
(5) Less: Anticipated Revenues other than current property tax	\$3,522,711.00
(6) Difference: Amount to be raised by taxes for support of Municipal Budget	
(a) Local tax for municipal purposes including reserve for uncollected taxes	\$1,526,361.00

A hearing on the Budget, federal revenue sharing allotments and tax resolution will be held at The Municipal Building on April 28, 1983 at 8:00 P.M. at which time and place objections to said budget federal revenue sharing allotments and tax resolution for the year 1983 may be presented by taxpayers or other interested persons.

At this point Councilman Lerner moved to have the resolution read "at the Municipal Building on April 28, 1983 or earlier if so advised by the Auditor. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. Councilman Lerner then moved to have the resolution #71-83 passed as amended. This was seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

The following Resolution #72-83 (Temporary Budget) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #72-83

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, N.J.S.A. 40A:4-19 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; and

WHEREAS, the Township Council of the Township of Marlboro by Resolution #5-83 adopted a temporary budget; and

WHEREAS, by Resolution #55-83 The Township Council of the Township of Marlboro amended the Temporary Budget; and

WHEREAS, Chapter 66 of the Public Laws of 1983 extends the adoption date of the 1983 Budget; and

WHEREAS, the Director of the Department of Community Affairs, Division of Local Government Services has provided for a means of special temporary appropriations; and

WHEREAS, the Township Treasurer of the Township of Marlboro has prepared a special temporary proposed appropriation which has been reviewed by the Township Council; and

WHEREAS, the Township Treasurer of the Township of Marlboro has certified that said special temporary appropriation conforms to the published regulations;

NOW, THEREFORE, BE IT RESOLVED that the Temporary Budget attached hereto and made part hereof be adopted and a certified copy of this Resolution be forwarded to the Township Finance Director.

TEMPORARY BUDGET

Township of Marlboro

1983

ADMINISTRATION & EXECUTIVE

1983

Salaries and Wages

Mayor

\$1,312.50

Council

3,865.00

Administration

2,700.00

FINANCIAL ADMINISTRATION

Salaries and Wages

Treasurer's Office

3,100.00

ASSESSMENT OF TAXES

Salaries & Wages Assessor's Office	\$2,292.00
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COLLECTION OF TAXES

Salaries & wages Collector's Office	500.00
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LEGAL SERVICES & COSTS

Salaries & Wages	4,580.00
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MUNICIPAL COURT

Salaries & Wages	4,200.00
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ENGINEERING

Salaries & Wages	3,000.00
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BUILDING MAINTENANCE

Salaries & Wages	1,200.00
Other Expenses	2,000.00

PLANNING BOARD

Salaries & Wages	1,100.00
Other Expenses	1,000.00

BOARD OF ADJUSTMENT

Other Expenses	1,000.00
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COMMUNITY & GOVERNMENT RELATIONS

Salaries & Wages	41.66
Other Expenses	
Miscellaneous	500.00

HEALTH BENEFITS

8,000.00

INSURANCE

8,000.00

PUBLIC SAFETY

Salaries & Wages	
Police	78,500.00
Fire Marshall	283.33
Other Expenses	
Police	3,000.00

PUBLIC WORKS

Roads Maintenance	
Salaries & Wages	\$20,000.00
Other Expenses	2,000.00
Equipment Maintenance	
Salaries & wages	8,400.00
Grounds Maintenance	
Salaries & Wages	4,543.00
Other Expenses	2,000.00

HEALTH & WELFARE

Salaries & Wages	
Health Services	166.66
Public Assistance	175.00
Drug Control	432.00
Other Expenses	
Public Assistance	100.00

YOUTH ACTIVITIES

Salaries & Wages	425.00
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RECREATION

Other Expenses	6,000.00
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EXPENSES OF FREE PUBLIC LIBRARY

Other Expenses	3,000.00
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<u>UTILITIES</u> - Heating Oil	4,000.00	
Street Lgtg.	20,000.00	24,000.00

<u>SOCIAL SECURITY</u>	5,000.00
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STATE CONSTRUCTION CODE

Salaries & Wages	5,000.00
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<u>TOTAL OPERATING BUDGET</u>	<u>211,416.15</u>
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The following Resolution #73-83 (Authorize work on portions of Church RD. & Gordons Corner Road) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #73-83

WHEREAS, in recent years portions of Church Road and portions of Gordons Corner Road have been widened to acceptable traffic and safety standards as well as conformance to the Master Plan; and

WHEREAS, there remain small areas of Gordons Corner Road and Church Road that have not been widened; and

WHEREAS, the Mayor and Township Council have received recommendations from the Department of Engineering as well as from the Division of Traffic and Safety of the Marlboro Township Police Department to widen the portions of Gordons Corner Road and Church Road to a uniformed width; and

WHEREAS, the Township of Marlboro does not own all of the property or rights of way necessary to widen Gordons Corner Road and Church Road; and

WHEREAS, N.J.S.A. 20:1 et seq sets forth the applicable procedures necessary to acquire said land under the Rules of Condemnation; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro deem it necessary to acquire those rights of way in order to provide a safe passage on Gordons Corner Road and on Church Road; and

WHEREAS, the Township Treasurer has advised the Mayor and Township Council that funds are available for the project;

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

1. That the Township Attorney and Township Engineer be and they are hereby authorized and designated to take the steps necessary to acquire the rights of way along Gordons Corner Road and Church Road as defined in the metes and bounds description attached hereto and made part hereof.
2. That the Township Attorney and Township Engineer are hereby authorized and designated to attempt to determine if the said parcels can be acquired by gift, negotiation or condemnation.
3. That applicable title searches are hereby authorized.
4. That the Township Attorney is authorized, pursuant to the Public Contracts Law, to retain appraisers to assist in this matter.
5. That the Township Attorney be and he is hereby authorized and directed to draw, prepare and file such documents as may be necessary and required and to make such appearances as may be necessary and incidental to accomplish the above.
6. That certified copies of this Resolution be furnished to the Township Engineer and to the Township Attorney.

The following Resolution #74-83 (Change Order #1 - Marlboro Free Public Library -\$1,300.00 Reduction - Arnold Steel Co.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #74-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Alterations and Additions Marlboro Free Public Library; 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 1; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, there is a reduction in contract price, the Township Council has been advised by the Chief Financial Officer that no appropriations are necessary in accordance with N.J.A.C. 5:30-14.5;

NOW, THEREFORE, BE 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 contract for said work shall be reduced by the sum of \$1,300.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Arnold Steel Company shall remain in full force and effect. That upon acceptance by Arnold Steel Company, 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 Arnold Steel Company with instructions to execute same and return to the Township Attorney's office forthwith.

The following Resolution #75-83 (Change Order #2 - Marlboro Free Public Library - \$377.64 - Michael T. Gavan, Inc.) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #75-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Alterations and Additions Marlboro Free Public Library; 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 2; 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 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 \$377.64.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Michael T. Gavan, Inc. shall remain in full force and effect. That upon acceptance by Michael T. Gavan, 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 Michael T. GAVAN, Inc., with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #76-83 (Green Acres Funding) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #76-83

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 for assistance 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 in accordance with Section 7:36-1.4(c) of the Green Acres Rules and Regulations of the New Jersey Administrative Code; and

WHEREAS, the Commissioner of Environmental Protection requires that advance notice of program participation interest be submitted prior to March 31, 1983; and

WHEREAS, the Commissioner of Environmental Protection will prepare an annual statewide Program of Action for the disbursement of grant funding from the local responses submitted; and

WHEREAS, the Township of Marlboro desires to develop lands known as Municipal Complex;

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

1. That the 1983 program participation interests be submitted to the Commissioner of Environmental Protection.

2. That the Mayor is hereby authorized and directed to:

- (a) Execute and file such interest from with the Commissioner of Environmental Protection.
- (b) Provide additional application information.
- (c) Furnish such documents as may be required.
- (d) Act as the authorized correspondent of the Township of Marlboro.

The following Resolution #77-83 (Redemption Tax Sale Cert. 82-17 (Sewer) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #77-83

WHEREAS, the rightful owner of Block 65-L Lot 14 has redeemed Tax Sale Certificate #82-17; and

WHEREAS, this redemption included payment of sewer charges in the amount of \$320.28, The Western Monmouth Utilities Authority is entitled to reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$320.28 be refunded to The Western Monmouth Utilities Authority.

The following Resolution #78-83 (Redemption Tax Sale Cert. 82-17 - Water) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #78-83

WHEREAS, the rightful owner of Block 65-L Lot 14 has redeemed Tax Sale Certificate #82-17; and

WHEREAS, the folder of said tax sale certificate, Sheila Brodsky, is entitled to the amount of the sale of respective certificate plus interest and costs in the amount of \$2,455.28.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$2,455.28 be refunded to the holder of said certificate as above.

The following Resolution #79-83 (Authorize ABA to advertise for bids: Swim Pool Management) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #79-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting 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:

## SWIM POOL MANAGEMENT

The following Resolution #80-83 (Special Affairs Permit - "Friends of Kevin") was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #80-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a "Special Permit for Social/Affair" (SPA;001-83) be and it is hereby granted to "THE FRIENDS OF KEVIN", 10 Hastings Road, Marlboro, NJ.

BE IT FURTHER RESOLVED that said permit is to be used on the premises of the Robertsville Fire House, Route 520, Marlboro Township for the purpose of a fund-raising Breakfast on Sunday, April 10, 1983 between the hours of 10:00 A.M. and 1:00 P.M..

The following Resolution #81-83 (Reimbursement of over-assessment of taxes) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #81-83

WHEREAS, the Township of Marlboro has undergone a reassessment which reflects the values of properties as of October 1, 1981; and

WHEREAS, as a result of the reassessment, the owners and taxpayers of Block 64.C, Lot 6, Cecil S. and Barbara A. Bostic, of 12 Evergreen Drive, Marlboro, New Jersey 07746 have questioned the Tax Assessor with regard to their tax assessment for 1981 and 1982; and

WHEREAS, the Tax Assessor consents that an error was made in assessment on Block 64.C, Lot 6 for the tax years 1981 and 1982; and

WHEREAS, the Council of the Township of Marlboro is desirous that every taxpayer pay his fair share of taxes; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the Council agrees to reimburse Cecil S. and Barbara A. Bostic the sum of \$1,086.08 which represents the following: A. The amount of \$532.04 representing an over-assessment of \$9,400. at the tax rate of \$5.66 per hundred and B. The amount of \$554.04 representing an over-assessment of \$22,800 at the tax rate of \$2.43 per hundred.

The following Resolution #82-83 (Bingo License - Marlboro Jewish Center) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #82-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Bingo License No. BL03-83 be and it is hereby granted to the Marlboro Jewish Center. Said Bingo games to be held every Wednesday Evening starting May 4, 1983, excluding May 18, 1983, September 7, 14, 21 and 28 1983.

Councilwoman Stokes moved that the minutes of February 10, 1983 and February 24, 1983 be accepted. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

Public Session - Bernie Preis wanted to know what L.R.D. inc. in Closed Session was about. (item on the agenda) He was told that it had to do with Skateway on Route 9. Council President Hourihan then read Surae Wolf's letter to the Mayor and Council regarding the help she has received from various people in distributing surplus commodities to the needy of the Township.

Surae Wolf then announced that there would be distribution of butter at the Municipal Building on April 2, 1983 from 10:00 AM to 2:00 P.M..

Councilman Ginsberg moved that the Council go into "Closed Session" for reasons of discussing a matter of litigation. This was seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor. The meeting went into "Closed Session" at 8:25 P.M.. At 8:35 P.M. Councilman Lerner moved to adjourn the regular meeting. This was seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

MINUTES ACCEPTED: May 12, 1983

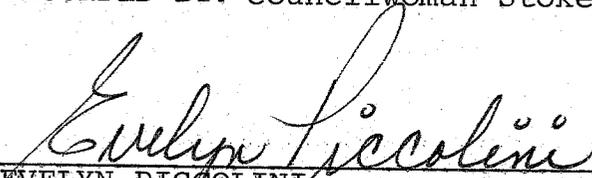
OFFERED BY: Councilman Lerner

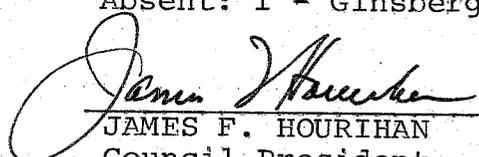
AYES: 4

SECONDED BY: Councilwoman Stokes

NAYS: 0

Absent: 1 - Ginsberg

  
EVELYN PICCOLINI  
Township Clerk

  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

APRIL 14, 1983

The Marlboro Township Council held a regular meeting on Thursday, April 14, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Township Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Mayor Saul Hornik, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. Roy Ettliger - Director of Marlboro State Hospital - stated that the security at the state hospital has improved in the last few years and the number of people who have been walking away from the hospital has dropped to one-third the amount of the previous year. He knows that it still has to be improved and there is a plan of action in the works. The psychiatric cottages are no longer open and are tightly controlled. Clear criteria have been established in specifying the patients that are dangerous and there has been a tightening up of the curfew. He has walked the fence around the perimeter of the hospital and all problem areas have been repaired and corrected. He plans to set up improved lines of communication between the local police chiefs. Councilman Lerner wanted to know why is all of this being done now and not sooner. Mr. Ettliger stated that is was an evolutionary process and additional security measures are made each year.

Marie Muhler - stated that she had asked Mr. Ettliger and Mr. Ulrich to come here tonight so they could hear the public's comments on the situation at the hospital. If there needs to be a change in a state law in regard to this problem (security at the hospital) she will work on it.

Nelson Greene - Evangelist, Monmouth Christian Church - stated that he lives in Blossom Heights and lives in constant fear. He wanted to know why something couldn't be done to warn the residents if someone escapes. He has had the experience of having two patients chase him from his own back yard into his home.

Vincent Hogan - Maple Drive - told the Council of his experience the other day when a patient from the hospital broke into his home and did considerable damage. Even though his wife was not at home at the time, she is in a state of deep trauma. The man who broke into his house had escaped from the hospital that morning, brought back and then escaped a second time that day. There must be a laxity in security if a man is allowed to escape a second time on the same day. Gordon Carlson - Quincy Street - questioned the security system and told how he feared for the safety of his wife and children. Ruth Einloth - Quincy St.) wanted to know if there could be some kind of warning system established.

The Mayor invited the people who spoke to a meeting to be held the next day at 9:00 A.M. in the Municipal Building. The problem and remedies for it will be discussed at that time. Deputy Commissioner Ulrich - Department of Human Resources - stated that a Corrective Action Plan is being formulated and he assured the people that he will do his best to get this problem solved. There was no one else signed up to speak so the Citizen's Voice was declared closed.

Administrative Report - There was none.

Councilwoman Stokes moved that the minutes of the meeting of March 10, 1983 be approved. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

Council President Hourihan opened the Public Hearing on Resolution #84/ Ordinance #6-83. There being no one who wished to speak the public hearing was declared closed. The following Res. #84-83/Ord. #6-83 was then introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #84-83

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

ORDINANCE #6-83

AN ORDINANCE ENTITLED "AN ORDINANCE AMENDING AN ORDINANCE ENTITLED SWIMMING POOL FACILITY, CHAPTER 132 OF THE CODE OF THE TOWNSHIP OF MARLBORO."

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

Council President Hourihan then opened the Public HEaring on Res. #85-83 Ordinance #7-83 (Amendment to Junk Yard Ordinance). There being no one who wished to speak, the Public Hearing was declared closed. The following Resolution #85-83/Ordinance #7-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 1 in favor. (Nay-Mollica)

RESOLUTION #85-83

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

ORDINANCE #7-83

"AN ORDINANCE AMENDING AN ORDINANCE ENTITLED JUNK-YARDS AND JUNK DEALERS, CHAPTER 82 OF THE CODE OF THE TOWNSHIP OF MARLBORO."

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

The following Resolution #86-83/Ordinance #8-83 (Salary Ord. - 1983) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #86-83

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

ORDINANCE #8-83

"AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1983)"

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 12, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #8-83

"AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1983)"

BE IT ORDAINED by the Township Council of the Township of Marlboro, County of Monmouth, as follows:

Section 1. The salaries of the hereinafter designated Township officers and employees in accordance with Schedule "A" attached hereto.

Section 2. All officers and employees having a fixed salary of less than \$5,000.00 per annum shall be paid monthly. All other officials and employees shall be paid semi-monthly.

Section 3. All salaries and wages earned herein shall be retro-active from January 1, 1983.

Section 4. All salaries shall be in lieu of fees, which shall be paid to the order of Marlboro Township and no officer or employee shall be entitled to the receipt of any fees over and above the salary herein designated.

Section 5. All provisions of any contract between the Township of Marlboro and bargaining unit shall be incorporated herein as though set forth in full. Those provisions include but are not limited to longevity, schooling and overtime.

Section 6. All full time employees who have been continuously employed by the Township for more than five (5) years in classified or exempt positions shall receive a longevity increment of 2.5 per cent of annual salary. Thereafter, for each additional period of five (5) years of continuous service in the Municipality an employee shall receive a longevity increment of an additional 2.5 per cent of annual salary.

In no event, may the total longevity increment exceed 7.5 per cent for fifteen (15) years of service. The longevity provision contained in this section shall not apply to any employee who entered the service of the Municipality on or after January 1, 1976.

Section 7. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 8. This Ordinance shall take effect upon passage and publication as required by law.

## 1983 SALARY ORDINANCE

### SCHEDULE "A"

Mayor	\$ 4,800.00
Council	3,600.00
Business Administrator (effective 9/1/83)	30,000.00
Assist. Business Administrator	20,500.00
Confidential Aide to Mayor	11,880.75
Township Clerk	20,500.00
Deputy Township Clerk	11,500.00
Finance Director	3,000.00
Treasurer	20,500.00
Accounts Clerk	10,000.00 - 12,500.
Tax Assessor	20,500.00
Assessor's Clerk	10,308.00
Tax Collector	20,500.00
Collection's Clerk	8,000.00 - 10,300.00
Clerk-Typist	7,000.00 - 13,605.
Permit Clerk-Typist	7,000.00 - 11,500.
Clerk-Typist part time hourly	4.14 - 4.75
Township Attorney	50,000.00
Municipal Prosecutor	7,500.00
Acting Prosecutor - per session	100.00
Public Defender (effective 3/1/83)	5,200.00
Municipal Judge	11,070.00
Municipal Court Clerk	13,475.00
Deputy Court Clerk	10,546.00
Violations Clerk	9,960.00
Acting Judge - per session	100.00
Baliff - per hour	4.00 - 10.00
Township Engineer	42,340.00
Engineering Aide/Zoning Officer (effective 5/1/83)	16,000.00 - 20,000.
Engineering Technician (effective 5/1/83)	14,000.00 - 15,000.
Construction Code Official & Bldg. Subcode Official	27,619.00
Plumbing Inspector	8,200.00
Electrical Inspector	8,200.00
Fire Sub Code Official	8,200.00
Assistant Building Inspector	8,200.00
Building Maintenance Worker	13,563.00
Maintenance Worker part time per hour	3.50 - 4.90
Director Environmental Protection	500.00

Chief Fire Inspector	\$ 3,400.00
Fire Inspector part time	\$ 3,000.00
Director - Drug and Alcohol	5,184.00
Director - Economic Development	500.00
Director - Community and Government Relations	500.00
Coordinator - Senior Citizens	4,500.00
Director - Welfare (Public Assistance)	2,200.00
Registrar of Vital Statistics	2,000.00
Youth Activities Staff per hour	4.00 - 6.50
not to exceed	2,500.00
Chief of Police	33,690.50
Deputy Chief of Police	29,740.28
Police Lieutenant	26,576.00
Police Sergeants	24,679.00
Patrolman 1st Class	22,147.00
Patrolman 2nd Class	19,300.00
Patrolman 3rd Class	17,401.00
Probationary Patrolman	12,250.00
Senior Dispatcher	14,865.58
Dispatcher	8,500.00 - 11,000.00
Police Records Clerk	7,000.00 - 8,279.00
Road Superintendent/Supervisor	20,000.00 - 25,000.00
Road Foreman	21,027.00
Senior Mechanic	21,027.00
Assistant Foreman	19,179.00
Mechanic	18,500.00
Mechanic Helper	11,789.00
Heavy Equipment Operator (2)	18,900.00
Heavy Equipment Operator (1)	17,420.00
Truck Driver (2)	16,955.00
Truck Driver (1)	14,580.00
Laborer (3)	11,326.00
Laborer (2)	10,746.00
Laborer (1)	9,622.00
Public Works - Temporary - per hour	3.50 - 6.00
Bus Driver - per hours	4.00 - 6.00
Director - Parks, Recreation, Open Space	500.00
Superintendent of Recreation	18,000.00
Site Director - Summer program - per day	40.00 - 50.00
not to exceed	1,500.00
Site Director - other programs - per hour	5.00 - 7.00
Teacher - Summer Program - per day	33.00 - 43.00
not to exceed	1,290.00
Teacher - Other Programs - per hour	5.00 - 9.00
Senior Instructor - Summer program - per day	25.00 - 30.00
not to exceed	900.00
Senior Instructors - Other Programs - per hour	3.00 - 5.50
Instructors - per hour	3.00 - 5.00
Counselors - First Year	300.00
Counselors - 2nd year	400.00
Counselors - 3rd year	450.00
Counselors - 4th year	500.00
Counselors in training	50.00
Counselors - Temporary per hour	2.75 - 3.50
Tennis Court Monitors - per hour	3.00 - 4.00
Referees and Umpires - per hour	2.50 - 5.00

69

Temporary Recreation Worker - per hour	\$ 2.50 - 4.00
Temporary Maintenance Worker - per hour	2.50 - 4.00
Seasonal Part time (Swim Club) per hour	3.50 - 6.50

\* All amounts exclusive of longevity add-on.

The following Resolution #87-83 (Regulating Traffic at Marlboro Plaza Center) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #87-83

A Resolution regulating Parking and Traffic in the Marlboro Plaza Shopping Center in the Township of Marlboro, County of Monmouth, State of New Jersey.

BE IT RESOLVED by the Township Council of the Township of Marlboro that:

1. A written request has been filed with the Township of Marlboro pursuant to the N.J.S.A. 39:5 A-1 by Marlboro Plaza Shopping Center in regard to the property known as Marlboro Plaza Shopping Center.

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

Section 1. The provisions of Subtitle 1, Title 39 of revised statutes shall be made applicable to the semipublic streets, parking areas or other roadways open to or used by the public, tenants and employees for the purposes of vehicular travel.

Section 2. This Resolution shall take effect immediately upon adoption and publication as required by law.

The following Resolution #88-83 (Requesting Legislative Delegation not support Senate Bill S-1863 - Beer and Wine sales in restaurants) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #88-83

WHEREAS, Senate Bill S-1863 and Assembly Bill A-1969 seek to provide a permit to unlicensed restaurants to serve beer and wine; and

WHEREAS, said permits will be issued by the State ABC Director without the advice and consent of the local municipalities; and

WHEREAS, the proposed beer and wine licenses represent new licenses to be issued above the present limitations contained in the State Statute; and

WHEREAS, said licenses will make beer and wine more readily available to the teenagers; and

WHEREAS, the Monmouth County Chiefs of Police have taken a strong position against the Assembly Bill and Senate Bill;

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

1. That the Monmouth County Legislative Delegation be and is hereby urged to take all steps necessary to defeat Senate Bill S-1863 and Assembly Bill A-1969.

2. That certified copies of this Resolution be furnished to the Monmouth County Legislative Delegation and to the County Chiefs of Police as well as the League of Municipalities.

The following Resolution #89-83 (Change Order #2 - Parking Lot Community Center) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #89-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: ParkingLot-Community Center, Texas Road; 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 #2; 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 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 \$475.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Al-Lee Contractors, Inc. shall remain in full force and effect. That upon acceptance by Al-Lee 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 Al-Lee Contractors, Inc. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #90-83 (Change Order #2 - Improvements to Thomas Lane) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #90-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Improvements to Thomas Lane; 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 #2; 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 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 \$1,200.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Al-Lee Contractors, Inc. shall remain in full force and effect. That upon acceptance by Al-Lee 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 Al-Lee Contractors, Inc. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #91-83 (Authorize ABA advertise bids for: Swim Pool Lockers) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #91-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Assistant 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:

SWIM POOL LOCKERS

The following RESolution #92-83 (Raffle License Marlboro Blue and Gold Booster Club) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #92-83

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

1. A Raffle License No. RL 5-83 be and it is hereby issued to MARLBORO BLUE AND GOLD BOOSTER CLUB, INC. for a Raffle to be held on June 2, 1983 at 8:00 P.M..
2. The drawing is to be held at the Marlboro High School Auditorium on Route 79, Marlboro, New Jersey.

BE IT FURTHER RESOLVED that this Resolution becomes effective upon its passage.

The following RESolution #93-83 (Raffle License Discovery House Parents Association) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #93-83

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

1. A Raffle License No. RL 6-83 be and it is hereby issued to Discovery House Parents Association for a raffle to be held on December 21, 1983 at 8:00 P.M..
2. The drawing is to be held at Discovery House, Marlboro, NJ.

BE IT FURTHER RESOLVED, that this RESolution becomes effective upon its passage.

Public Session - No one wished to speak, so the Public Session was declared closed.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 9:55 P.M..

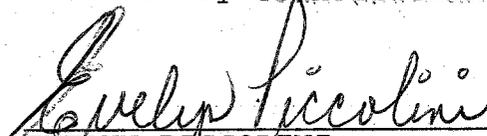
MINUTES APPROVED: May 26, 1983

Offered by: Councilman Lerner

AYES: 5

Seconded by: Councilwoman Stokes

NAYS: 0

  
 \_\_\_\_\_  
 EVELYN PICCOLINI  
 Township Clerk

  
 \_\_\_\_\_  
 JAMES F. HOURIHAN  
 Council President

MARLBORO TOWNSHIP COUNCIL MEETING

APRIL 28, 1983

The Marlboro Township Council held a regular meeting on Thursday, April 28, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the bulletin board of the Municipal Building and filed in the office of the Municipal Clerk.

The Township Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini, and Deputy Clerk Marcia Jicka.

Citizen's Voice - Jean Morea - thanked the Council for their cooperation during the past year and also thanked the young people who came out and helped them with the Government surplus hand-out.

Administrative Report - the Mayor reported that the State Hospital will be using four-wheel drive vehicles to patrol the perimeter of the hospital. A hot line will be established for security reasons and internal security has been beefed up. Cooperation from the hospital is there.

He also reported that a second supervisory person has been hired for the teen center and a third will be hired after the budget has been adopted. There will be a fence around the perimeter of the center so the teens will know where their boundaries are. A peer group with high school counselors will begin soon.

The Council President then opened the Public Hearing on the 1983 Budget. Betty Fox presented a petition protesting the funding of the teen center for another year. She felt that the teen center should be moved to a proper facility. She urged the Council to amend the budget to eliminate funding for the teen center. The Mayor stated that the Drug and Alcohol Comm. and the Recreation Commission and the teens themselves say that the center is functioning well. No no-peds are allowed. The police are stationed at the end of the driveway and the counselors do not go home until everybody has left. If the programs do not work, the project will be killed at the end of 6 months.

Jean Morea - stated that the parents should police their children's actions.

Michelle Kolnicher - a teen-ager from the center- stated that she use to cut through back yards but she no longer does it. There is no beer at the center and the kids don't need a gym, they need the present house that they are in. If money is needed, the kids will help raise it.

Mike Costura - stated that it is not easy to find correct answers for something that is noticeably needed. Listen carefully to the taxpayers and try to satisfy them.

Lisa Dorfman - stated that kids used to hang out all over the developments, drinking beer, smoking pot etc. Now they have a place to meet and they no longer do these things. A lot of people have straightened out since the teen center opened.

Sidney Leveson - stated that he had one concern with a procedure that wasn't followed. No notice of meetings with department heads on the budget was given to the newspapers or posted on the bulletin board of the Municipal Center. According to the Faulkner Act, 40:69A-45 this should have been done. He asked the attorney if the Council could vote on the budget or did they have to wait until meetings with the department heads were held with notice to the public. The Council President stated that he would have the answer to his question before the vote on May 5, 1983. The Public Hearing on the Budget was then closed.

Councilwoman Stokes stated that she agreed with the idea of using a school or gym for the teen center and wished that Council would reconsider the funding of the teen center. Councilwoman Stokes moved to amend the budget and pull the funds from the teen center. This was seconded by Council President Hourihan and defeated on a 2 - 3 vote against. (Nays - Ginsberg, Lerner and Mollica)

Councilman Ginsberg stated that he goes along with the Mayor and the idea of giving the center 6 months to prove itself. There are beginnings to a program that could possibly work.

The following Resolution #94-83 (Amendment to 1983 Budget) was introduced by Joseph Seaman (Auditor for the Township) offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #94-83

WHEREAS, the local municipal budget for the year 1983 was approved on the 24th day of March, 1983 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 Township Council of the Township of Marlboro, County of Monmouth that the following amendments to the approved budget of 1983 be made:

8. GENERAL APPROPRIATIONS

a) Operations within 5% "CAPS"

	<u>from</u>	<u>to</u>
Administrative & Executive Salaries & Wages	\$119,552.00	\$122,290.00
Collection of Taxes Salaries & Wages	31,308.00	35,308.00
Highway Safety Salaries & Wages	-0-	29,629.00
Other Expenses	20,723.00	21,723.00

	<u>FROM</u>	<u>TO</u>
Road Repairs & Maintenance		
Salaries and Wages	\$240,427.00	\$210,798.00
Grounds & Buildings Maintenance		
Other Expenses	17,386.00	22,386.00
Aid to National Burn Victim Foundation (40:23 - 8.22)	-0-	1,000.00
<del>Division</del> Division of Recreation		
Other Expenses	68,585.00	78,585.00
Total Operations (Item 8 (a) within 5% "CAPS"	3,072,298.00	3,096,036.00
Total Operations including Contingent within 5% "CAPS"	3,077,298.85	3,101,036.85
Detail:		
Salaries and Wages	1,869,900.00	1,876,638.00
Other Expenses (including contingent)	1,207,398.85	1,224,398.85
e) Deferred Charges & Statutory Expenditures Municipal within 5% "CAPS"		
2. Statutory Expenditures:		
Police & Firemen's Retirement System of New Jersey	43,165.00	19,427.00
Total Deferred Charges & Statutory Expenditures - Municipal within 5% "CAPS"	267,807.42	244,069.42

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 local municipal budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in The Daily Register in the issue of May 1, 1983 and that said publication contain notice of public hearing on said amendment to be held at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey on May 5, 1983 at 8:00 P.M..

The following Resolution #95-83/Ordinance #9-83 (Amend Noise Ord. ) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #95-83

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

ORDINANCE #9-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 93 THEREOF ENTITLED "NOISE"

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 26, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #9-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 93 THEREOF ENTITLED "NOISE"

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

Section 1. Chapter 93 of the Code of the Township of Marlboro, Section 93-1B(20) is hereby amended to add the following at the end of the existing section:

"except that in areas designated by the Zoning Map of the Township of Marlboro as industrial or commercial zones, collection may begin on allowable days at 5 A.M. instead of 7 A.M."

Section 2. This Ordinance shall become effective immediately upon passage and publication as required by law.

The following RESolution #96-83 (Change Order #2 - Marlboro Library - \$1,355.00) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #96-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Alterations and Additions Marlboro Free Public Library; 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 #2; 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 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 \$1,355.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Michael T. Gavan, Inc. shall remain in full force and effect. That upon acceptance by Michael T. Gavan, 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 Michael T. Gavan, Inc. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #97-83 (Authorization ABA advertise bids for: Library Carpeting) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #97-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Assistant 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:

LIBRARY CARPETING

The Council President then opened the Public Session portion of the meeting. Jean Morea acknowledged the importance of the budget hearings. Mike Costura stated that the seniors try to be an asset to the Township. Both hoped that their groups were taken into account when it came to making up the 1983 Budget. There being no one else who wished to speak, the Public Session was declared closed.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 9:25 P.M..

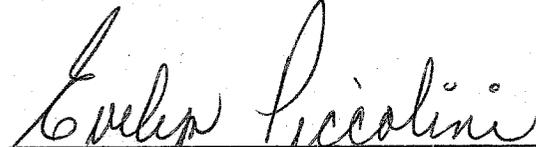
Minutes Approved: May 26, 1983

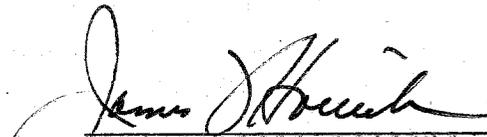
OFFERED BY: Councilman Lerner

AYES: 5

SECONDED BY: Councilwoman Stokes

NAYS: 0

  
\_\_\_\_\_  
EVELYN PICCOLINI  
Township Clerk

  
\_\_\_\_\_  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

MAY 12, 1983

The Marlboro Township Council held a regular meeting on Thursday, May 12, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Township Clerk called the roll.

PRESENT. Council President Hourihan, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes. Absent - Ginsberg

Also present were: Mayor Saul Hornik, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Council President then opened the Citizen's Voice portion of the meeting. There being no one signed up to speak, the Citizen's Voice was declared closed.

Administrative Report -The Mayor stated that since this was Older Americans Month, he was presenting proclamations to the Senior Citizens Groups of the Townships. Special presentations were also presented to the following Senior Citizens: Helen McKenzie, Gloria Antisell, Alice Carter, Honey Davis, Emily Messa and John Tergis. Jean Morea and Earl Simmons, presidents of the two Senior Citizen Groups thanked the Mayor for the proclamations. The Mayor also reported that according to Ray Solk, Chairman of the Recreation Commission, the Municipal Park project is coming to completion. There will be a benefit softball game for Kevin Tricarico on May 24th and it will be held at the new field.

Councilman Lerner moved that the Minutes of the March 24, 1983 Council Meeting be approved. This was seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. Absent - Ginsberg.

The Council President opened the Public Hearing on Res. #99-83/ Ordinance #8-83 (Salary Ordinance - 1983 ). There being no one who wished to speak, the Public Hearing was declared closed. The following Resolution #99-83/Ordinance #8-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #99-83

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

ORDINANCE #8-83

"AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1983)"

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

The following Resolution #100-83/Ordinance #10-83 (Amend ABC ord. - Fees) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. ( Absent - Ginsberg)

RESOLUTION #100-83

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

ORDINANCE #10-83

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 42 THEREOF ENTITLED "ALCOHOLIC BEVERAGES", TO CHANGE THE FEES FOR LICENSES."

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 26, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #10-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 42 THEREOF ENTITLED "ALCOHOLIC BEVERAGES", TO CHANGE THE FEES FOR LICENSES."

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

Section 1. Chapter 42 of the Code of the Township of Marlboro, Section 42-2 is hereby amended to read as follows:

"The annual licensing fees for licenses hereinafter issued shall be and are hereby fixed as follows:

- A. Plenary retail consumption license: four hundred fifteen dollars (\$415.).

- B. Plenary retail distribution license: two hundred eight dollars (\$208.).
- C. Limited retail distribution license: fifty Dollars (\$50.).
- D. Club license: one hundred fifty dollars (\$150.).

Section 2. That all Ordinances and all provisions thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. This Ordinance shall take effect upon passage and publication as provided by law.

The following Resolution #101-83/Ordinance #11-83 (Exchange of Lands) was introduced by reference, offered by Councilman Lerner, seconded by councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #101-83

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

ORDINANCE #11-83

"AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN LANDS PURSUANT TO N.J.S.A. 40A:12-16 BETWEEN THE TOWNSHIP OF MARLBORO AND ROBERT L. FINLAYSON, JR."

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 26, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #11-83

"AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN LANDS PURSUANT TO N.J.S.A. 40A: 12-16 BETWEEN THE TOWNSHIP OF MARLBORO AND ROBERT L. FINLAYSON, JR."

WHEREAS, by Resolution #73-83 the Mayor and Township Council authorized the Township Attorney and the Township Engineer to take all steps necessary to acquire the rights of way along Gordons Corner Road and Church Road so that each of the roads could be widened to improve the safety along each road; and

WHEREAS, pursuant to said authorization, appraisals of the required rights of way were prepared by W.T. Blaine Realty Co, Inc.; and

WHEREAS, the Township Attorney, the appraiser and the Township Engineer met with Robert L. Finlayson, Jr., the owner of the property located at Gordons Corner Road and Church Road; and

WHEREAS, Robert L. Finlayson, Jr. is the owner of a parcel of property known as Block 51, Lot 28 in the Township of Marlboro; and

WHEREAS, Block 51, Lot 28 is landlocked; and

WHEREAS, the Township of Marlboro is the owner of property known as Block 51, Lot 1; and

WHEREAS, a portion of Block 51, Lot 1 may provide access to Block 51, Lot 28; and

WHEREAS, the Township of Marlboro is desirous of acquiring the right of way along Gordons Corner Road and Church Road, which right of way is equal to .13± acres of land; and

WHEREAS, the Township of Marlboro is desirous of conveying a portion of Block 51, Lot 1 which is equivalent to .53± acres to Robert L. Finlayson, Jr.; and

WHEREAS, W.T. Blaine Realty Co., Inc. has prepared an appraisal of the property to be conveyed by the Township of Marlboro; and

WHEREAS, the Tax Assessor of the Township of Marlboro has reviewed the appraisals for each of the parcels of property and concurs with the result; and

WHEREAS, the provisions of N.J.S.A 40A:12-16 permits an exchange of land for full and fair value;

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

Section 1. That the Mayor and Township Clerk and other Township Officials be and they are hereby authorized and directed to exchange by deed .53± acres of land representing a portion of Block 51, Lot 1 with Robert L. Finlayson, Jr. for a portion of land on Block 63, Lot 25 comprising .13± acres.

Section 2. That the Township Engineer be and he is hereby designated as the proper person to draw a metes and bounds description for the lands to be exchanged.

Section 3. That the Township Attorney be and he is hereby authorized and directed to prepare the appropriate deeds necessary for exchange.

Section 4. That the consideration for the transfer shall be the exchange of land.

Section 5. That the exchange shall take place within thirty (30) days of the date of adoption of the Ordinance.

Section 6. That this Ordinance shall take effect immediately upon passage and publication as required by law.

The following RESolution #102-83/Ordinance #12-83 (Water Conservation Requirements) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #102-83

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

ORDINANCE #12-83

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 143 THEREOF ENTITLED "WATER TO ADD ARTICLE IV CONSERVATION REQUIREMENTS."

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 9, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #12-83

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 143 THEREOF ENTITLED "WATER TO ADD ARTICLE IV CONSERVATION REQUIREMENTS."

WHEREAS, the Marlboro Township Municipal Utilities Authority has advised the Mayor and Township Council of the Township of Marlboro that there has been in the past and will in the future be excessive demands upon the MTMUA's water system, principally attributable to water used for lawn sprinkling and filling of swimming pools; and

WHEREAS, the MTMUA has further advised the Mayor and Township Council of the Township of Marlboro that the continued unabated and unregulated use of potable water for the aforementioned purposes will result in excessive drains upon the MTMUA's water system, cause serious reductions in the volume, flow and pressure of water delivered to some of the residents of the Township and otherwise adversely affect the availability of water for domestic and sanitary purposes and public fire protection; and

WHEREAS, as a result of the aforementioned circumstances, grave inequities result, whereby some residents of the Township do not receive adequate quantities of water under adequate pressure; and

WHEREAS, the MTMUA has further advised the Mayor and Council of the Township of Marlboro, that the State of New Jersey, through the Department of Environmental Protection, has required and directed the MTMUA to immediately implement water conservation measures as an express condition of retaining certain water diversion rights and certain permits to increase sources of water supply, all of which are necessary to provide adequate and proper water service to the residents of the Township; and

WHEREAS, water is a precious natural resource which is not unlimited in supply and which is essential for the health, safety and welfare of the residents of the Township; and

WHEREAS, it is in the best interests of the residents of the Township and in the interest of their health, safety and welfare to implement appropriate measures for conservation of water and to prevent the inequities heretofore mentioned; and

WHEREAS, in view of the foregoing, the Township Council of the Township of Marlboro has found that certain measures must be taken to conserve water, to restrict certain water usages, to protect life, limb and property and to comply with the directives of the New Jersey Department of Environmental Protection in order to ensure and maintain the integrity of the MTMUA's water system and sources of water supply.

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

Section 1. There shall be alternate day lawn sprinkling within the Township of Marlboro. All properties with odd number addresses or box numbers shall water on the odd days of the month. All properties with even addresses or box numbers shall water on even days of the month. All property owners shall be permitted to water on the 31st day of the month.

SECTION 2. The filling of all swimming pools may be permitted only after application is made for and a special swimming pool filling permit is issued by the Marlboro Township Municipal Utilities Authority. at a fee not to exceed \$5.00.

SECTION 3. All such swimming pool filling shall be done under the supervision and at the direction of the Plant Superintendent of the Marlboro Township Municipal Utilities Authority pursuant to such time schedule as may be set by the said Plant Superintendent and/or Consulting Engineer for the Marlboro Township Municipal Utilities Authority.

SECTION 4. The aforesaid filling of swimming pools, and/or the issuance of permits for same, is expressly subject to the availability and/or continued availability of adequate and sufficient supplies of water as shall be determined by the Marlboro Township Municipal Utilities Authority Consulting Engineer and/or Plant Superintendent

SECTION 5. (Violations and Penalties) Any person who shall violate any of the provisions of this Chapter shall upon conviction thereof be sentenced to a fine not exceeding five hundred (\$500.00) dollars or imprisonment for a term not to exceed ninety (90) days or both. However, there shall be no imprisonment term for a first offense and the maximum fine shall not exceed fifty (\$50) dollars for a first offense.

SECTION 6. Conflicting Ordinances: All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

SECTION 7. Effective date: This ordinance shall take effect immediately upon passage and publication as required by law.

The following Resolution #103-83 (Rejection of bids for: Chain Link Fence Lockers) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #103-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for

CHAIN LINK FENCE LOCKERS

are hereby rejected and the Assistant Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder.

BE IT FURTHER RESOLVED that the Assistant Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for

CHAIN LINK FENCE LOCKERS

as required by law.

The following Resolution #104-83 (Award of bid for: Dump Trucks - Carteret Ford) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #104-83

BE IT RESOLVED THAT:

1. Carteret Ford

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

(2) 1983 Ford Model F-800 C & C with Galion Body and Hoist

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

Carteret Ford  
100 Minue St.  
Carteret, New Jersey 07008

on their low bid of

\$38,804.22

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.

The following Resolution # 105-83 (Award of bid for: 12T. Tag Along Trailer - Harter Equipment) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #105-83

BE IT RESOLVED THAT:

1. Harter Equipment

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

(1) 12 Ton Tag Along Trailer Model HDB 10 Eager Beaver

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

Harter Equipment  
Route 33, RD 2, Box 115-A  
Englishtown, New Jersey 07726

on their low bid of

\$6,406.00

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.

The following Resolution #106-83 ( Award of bidfor: Salt Spreaders - Lynn Equip) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #106-83

BE IT RESOLVED THAT:

1. Lynn Equipment

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

(3) Salt Spreaders - Good Roads Mosel C-3

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

Lynn Equipment  
U.S. Highway 202  
Three Bridges, New Jersey 08887

on their low bid of \$17,997.00

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.

The following Resolution #107-83 (Award of Bid for: Swim Club Manager - Freibaum) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #107-83

BE IT RESOLVED THAT:

1. POOL MANAGEMENT ASSOCIATES

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Swim Club Manager

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

John M. Freibaum, T/A Pool Management Associates  
101 Pavilion Avenue  
Long Branch, New Jersey 07740

on their low bid of

\$64,899.00

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 is to be noted for the record that the salaries for the teens working at the Swim Club were in the specs for the Swim Club Manager.

The following Resolution #108-83 (Declaration of Intent - Property Wyncrest Rd, Marlboro Fire District #1) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #108-83

WHEREAS, the Mayor and Township Council of the Township of Marlboro have received a request from the Board of Fire Commissioners, District #1 and the Marlboro First Aid Squad to transfer a part of a certain parcel of property located on Wyncrest Road and known as Block 59, Lot 15 to the Board of Fire Commissioners, Marlboro District #1 and the Marlboro First Aid Squad for the purpose of constructing a satellite fire house at the location; and

WHEREAS, the Mayor and Township Council have met with representatives of the Board of Fire Commissioners and Marlboro First Aid Squad and determined that there is a substantial need for the location of additional firefighting facilities and firefighting apparatus as well as First Aid apparatus at the subject location; and

WHEREAS, N.J.S.A. 40A:12-21 provides a method of transferring property to a Board of Fire Commissioners and the Marlboro First Aid Squad ;and

WHEREAS, the Mayor and Township Council have determined that the property is not presently needed for municipal purposes;

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

1. That this Resolution shall serve as a declaration of intent that the Mayor and Township Council will convey, at a nominal consideration, pursuant to N.J.S.A. 40A:12-21 a part of property located on Wyncrest Road and known as Block 59, Lot 15 to the Board of Fire Commissioners, Marlboro District #1 and the Marlboro First Aid Squad.
2. That the conveyance will be in accordance with a metes and bounds description to be drawn by the Township Engineer.
3. That the conveyance will consist of acreage to be agreed upon by the Mayor and Township Council and representatives of the Board of Fire Commissioners, Marlboro District #1 and the Marlboro First Aid Squad.
4. That the conveyance will contain all of the restrictions required in N.J.S.A. 40A:12-21 as well as any other restrictions deemed necessary by the Mayor and Township Council.
5. That certified copies of this Resolution shall be furnished to the Board of Fire Commissioners and the Marlboro First Aid Squad.

The following resolutions, #109-83 and #110-83 (Change Orders for the Municipal Park) were introduced by the Township Attorney at the table.

The following Resolution #109-83 (Change order #3 - Municipal Park) was introduced by Arthur Goldzweig, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. Absent - Ginsberg.

#### Resolution #109-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Marlboro Municipal Park, Phase II; 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; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, there is a reduction in contract price, the Township Council has been advised by the Chief Financial Officer that no appropriations are necessary in accordance with N.J.A.C. 5:30-14.5:

NOW, THEREFORE, BE 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 contract for said work shall be reduced by the sum of \$56.86.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment & Leasing Co. shall remain in full force and effect. That upon acceptance by Consolidated Equipment & Leasing 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 Consolidated Equipment & Leasing Co. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #110-83 (Change Order #6 - Municipal Park) was introduced by the Township Attorney, Arthur Goldzweig, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Ginsberg)

RESOLUTION #110-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Marlboro Municipal Park; 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 #6; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, there is a reduction in contract price, the Township Council has been advised by the Chief Financial Officer that no appropriations are necessary in accordance with N.J.A.C. 5:30-14.5:

NOW, THEREFORE, BE 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 contract for said work shall be reduced by the sum of \$870.60.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment & Leasing Co. shall remain in full force and effect. That upon acceptance by Consolidated Equipment & Leasing Co. this Resolution shall become a written agreement between the parties and shall form a part of the abovementioned base contract.

4. That the Township Clerk is authorized and directed to forward a certified copy of this Resolution to Consolidated Equipment & Leasing Co. with instructions to execute same and return to the Township Attorney's office forthwith.

Public Session - Jean Morea stated that she wished to thank Judy Clifford for all the work she has done on behalf of the Senior Citizens. Judy Clifford complimented both Senior Citizen Clubs on the work that they do in the community and the service that they provide to their own members.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. Absent - Ginsberg. The meeting was adjourned at 9:35 P.M..

Minutes Approved: *July 28, 1983*

OFFERED BY: *Ginsberg*

AYES: *5*

SECONDED BY: *Lerner*

NAYS: *0*

*Evelyn Piccolini*  
\_\_\_\_\_  
EVELYN PICCOLINI  
Township Clerk

*James F. Hourihan*  
\_\_\_\_\_  
JAMES F. HOURIHAN  
Council President

MARLBORO TOWNSHIP COUNCIL MEETING

MAY 26, 1983

The Marlboro Township Council held a regular meeting on Thursday, May 26, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provision of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the bulletin board of the Municipal Building and filed in the office of the Municipal Clerk.

The Deputy Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Stokes and Councilwoman Mollica who arrived at 8:25 P.M..

Also present were; Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. Eansley Boyce - Route 520 - stated that the junk yard on Route 520 (Arky's) has expanded beyond what was permitted. When will something be done about it to keep it from expanding??

Mr. Boyce also questioned the size of the sign in front of the yard. The Mayor informed him that the junk yard is under investigation at this time. Aerial photographs are being taken. He also told him that the Health Officer will investigate the site to see if the junk yard is operating on a toxic waste site.

Lester Linneman stated that he wished to speak on the chemical aspect of this situation. He claimed that they are stacking cars on top of barrels and he also pointed out that the area is suppose to be posted and it is not. This can be a potentially dangerous situation.

Councilwoman Mollica stated that she had received a packet from Ray Kramer's office on the Arky site that very day. She has not had a chance to read it but will do so right away and hand it over to the Mayor's office the next day.

Mr. Goldzweig stated that nothing can be done until the Health Officer comes down and looks at the site.

Stephen Kurzer - spoke on how unsightly and dangerous Hawkins Road Park was becoming. The maintenance at the park is bad. Is it because there's no money budgeted for maintenance or is it just neglect? The Mayor stated that the maintenance of the parks is under the control of the Recreation Commission. If the residents are unhappy with the maintenance, they should call the Recreation Commission and complain. They will take care of the problem.

John Humbert - Tennent Road - stated that he was not there to make a political statement but he felt that the Council should come up with a statement setting down the rules for clean campaigns. He felt that the Council has a moral obligation to keep this town clean and free from dirty politics.

There being no one else signed up to speak the Citizen's Voice was declared closed.

Administrative Report - The Mayor informed the people present that the Township had won the case in the Junk Yard suit. He stated that it was a major accomplishment by the Township Attorney and he complemented him on his work.

He thanked CBS for letting the ball players come down and play a benefit game for Kevin Tricarico. It is important that the fund raising for Kevin be kept alive. Council President Hourihan stated that the proceeds from bingo on June 16th at St. Gabriel's will go toward the fund.

Councilman Lerner moved that the minutes of April 14, 1983 and April 28, 1983 be approved. This was seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

The Council President then opened the Public Hearing on Resolution #111-83/ Ordinance #9-83 (Amend Noise Ordinance). Richard Previte wanted to know what the amendment was about. Councilman Lerner explained that it dealt with garbage collection in commercial zones. Collection may start at 5:00 A.M.. There being no one else who wished to speak, the Public Hearing was declared closed.

The following Resolution #111-83/Ordinance #9-83 was then offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #111-83

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

ORDINANCE #9-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 93 THEREOF ENTITLED "NOISE"

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

Council President Hourihan then opened the Public Hearing on Res. #112-83/ Ordinance #10-83 (ABC License Fees). There being no one who wished to speak the Public Hearing was declared closed. The following Res. #112-83/ Ordinance #10-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #112-83

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

ORDINANCE #10-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 42 THEREOF ENTITLED "ALCOHOLIC BEVERAGES", TO CHANGE THE FEES FOR LICENSES.

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

Council President Hourihan then opened the Public Hearing on Resolution #113-83/Ordinance #11-83 (Exchange of Lands - Finlayson) There being no one who wished to speak, the Public Hearing was declared closed. The following RESolution #113-83/Ord. #11-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #113-83

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

ORDINANCE #11-83

AN ORDINANCE AUTHORIZING THE EXCHANGE OF CERTAIN LANDS PURSUANT TO N.J.S.A. 40A:12-16 BETWEEN THE TOWNSHIP OF MARLBORO AND ROBERT L. FINLAYSON, JR.

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

The following RESolution #114-83/Ordinance #13-83 (Amend through street Ord. - Ord. 1-83) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #114-83

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

ORDINANCE #13-83

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE DESIGNATING THROUGH STREETS IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY (ORDINANCE #1-83)

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 23, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #13-83

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE DESIGNATING THROUGH STREETS IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, NEW JERSEY (ORDINANCE #1-83)

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

Section 1. That Ordinance #1-83 shall be amended in its entirety so that it shall read as follows:

The following described Streets or parts of the streets are hereby designated as THROUGH STREETS. STOP signs shall be installed on the near right side of all streets intersecting the THROUGH STREETS, except where YIELD signs are provided for in the designation:

LAFAYETTE ROAD	ENTIRE LENGTH
CRINE ROAD	ENTIRE LENGTH
TOPANEMUS ROAD	ENTIRE LENGTH
ROBERTSVILLE:	

- A. From the Manalapan Township-Marlboro Township corporate line to Ryan Road.
- B. From Wyncrest Road to Gordons Corner Road.

Section 2. This Ordinance shall take effect immediately upon passage and publication as required by law.

The following Resolution #115-83 (Special Permit for Social Affair - Robertsville Fire Company) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #115-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a "Special Permit for Social Affair"; (SPA:002-83) be and it is hereby granted to the ROBERTSVILLE FIRE COMPANY, DISTRICT #2 to be used at their 25th anniversary celebration on July 16, 1983 between the hours of 12 noon and 6:00 P.M..

BE IT FURTHER RESOLVED that said permit is to be used on the premises of the Robertsville Fire House, Route 520 in the Township of Marlboro.

The following Resolution #116-83 (Special Policemen for 25th Anniversary Celebration - Robertsville Fire Company) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #116-83

WHEREAS, the Mayor and Township Council of the Township of Marlboro have requested that the Monmouth County Fire and Emergency Police Inc. serve on a voluntary basis during the 25th Anniversary of the Robertsville Fire Company on July 16, 1983, and

WHEREAS, it is necessary that the members of the Monmouth County Fire and Emergency Police Inc. act as SPECIAL POLICEMEN for that purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Council of the Township of Marlboro that the Monmouth County Fire and Emergency Police, Inc. be and they are hereby appointed as SPECIAL POLICE

OFFICERS of the Township of Marlboro for the 25th Anniversary Celebration at the Robertsville Fire Company on July 16, 1983.

The following Resolution #117-83 (Letter of Credit reduction - Marlboro Plaza) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #117-83

WHEREAS, Basser & Kaufman, Inc. has requested the release of a certain Letter of Credit with respect to a site plan for a shopping center known as Marlboro Plaza; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated May 17, 1983 prepared by the Township Engineer, David Birnbaum, P.E.;

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

1. Section 1. The Letter of Credit which now totals \$827,230.00 shall be reduced to \$80,000.00 Letter of Credit or Performance Bond. Upon the release of this Letter of Credit, there shall be posted with the Township a two year 15% maintenance bond in the sum of \$125,000.00.

2. A certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to Basser & Kaufman, Inc.

Public Session - No one wished to speak.  
Councilman Lerner requested that Mr. Goldblatt of Monmouth Cablevision be asked to come to the next Caucus Meeting on June 2, 1983.

Councilman Ginsberg moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 9:10 P.M..

Minutes Approved: *July 28, 1983*

OFFERED BY: *Ginsberg*

AYES: *5*

SECONDED BY: *Lerner*

NAYS: *0*

*Evelyn Piccolini*  
EVELYN PICCOLINI  
Township Clerk

*James F. Hourihan*  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

JUNE 9, 1983

The Marlboro Township Council Held a regular meeting on Thursday, June 9, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meetings of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Township Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, and Councilwoman Stokes. Absent - Councilwoman Mollica.

Also present were: Mayor Saul Hornik (left the meeting early) Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Assistant Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. Dick Herman - Warren Drive - informed the Council of a letter to Marlboro Township Little League from the Eastern Region informing them that they had been put on probation because of their Newsletter in which they endorsed political candidates. Mr. Herman asked the Council to please ask the Little League organization to refrain from any political endorsements in the future. He felt that the Council could do this since the Township funds children's activities in the form of the tax dollar.

Honey Davis wanted to know what was going to be done about the muddy waters in her part of town. Councilman Ginsberg informed her that the regular meeting of the MTMUA would be held on June 14th and that would be the proper place to bring up this subject. If nothing else it would be put on an agenda for a future meeting. She also complained about a man on Texas Road who had trucks and garbage piled around the property. The Deputy Mayor informed her that he would have someone go out there and check it out.

Administrative Report - There was none.

The Public Hearing was then opened on Resolution #118-83/Ord. #13-83 (Through Street Ordinance Amendment). There being no one who wished to speak, the Public Hearing was declared closed. The following Res. #118-83/Ordinance #13-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #118-83

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

ORDINANCE #13-83

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED  
"AN ORDINANCE DESIGNATING THROUGH STREETS IN  
THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH,  
NEW JERSEY"

(ORD. 1-83)

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

The following Resolution #120-83 (Amendment to Ord. #12-83 - Water Conservation) was introduced by the Township Attorney, Arthur Goldzweig, offered by Councilman Ginsberg and seconded by Councilman Lerner.

RESOLUTION #120-83

WHEREAS, the Township Council of the Township of Marlboro has forwarded a copy of Ordinance #12-83 to the Marlboro Township Municipal Utilities Authority (MTMUA); and

WHEREAS, the MTMUA has reviewed the Ordinance and proposed several changes; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro have reviewed the proposed changes;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED that Ordinance #12-83 be amended prior to adoption as follows:

Section 1. That Section 1. of Ordinance #12-83 be amended to read:

"There shall be alternate day lawn sprinkling within the Township of Marlboro. All properties with odd number addresses or box numbers shall only water on the odd days of the month. All properties with even addresses or box numbers shall only water on even days of the month, No property owner shall be permitted to water on the 31st day of the month."

Section 2. That Section 3. of the Ordinance shall be amended to delete the following words:

"and/or consulting engineer"

Section 3. That Section 4. of the proposed Ordinance shall be amended to delete the words:

"consulting engineer and/or"

Section 4. That Section 5. shall be amended to read as follows:

"(Violations and Penalties) Any person who shall violate any of the provisions of this Chapter shall upon conviction thereof be sentenced to a fine of not less than twenty-five (\$25.00) dollars nor more than five hundred (\$500.00) dollars for the first offense;

not less than fifty (\$50.00) dollars nor more than five hundred (\$500.00) for the second offense; and not less than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dollars for the third and any succeeding offense.

The Public Hearing was then opened on Resolution #119-83/Ord.12-83 (Water Conservation) as amended. There being no one who wished to speak, the Public Hearing was declared closed.

Councilman Ginsberg moved to insert the words "at a fee not to exceed five (\$5.00) dollars" at the end of Section 2. of the Ord. #12-83. This was seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

The vote was then taken on Resolution #120-83 (amendment to Ord.12-83) The resolution was passed on a 4 - 0 vote in favor. (Absent - Mollica)

Resolution #119-83/Ordinance #12-83 (Water Conservation) was introduced by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #119-83

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

ORDINANCE #12-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 143 THEREOF ENTITLED "WATER TO ADD ARTICLE IV CONSERVATION REQUIREMENTS."

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

The following Resolution #121-83 (Support of Look Toward Life Group and Wildlife Project) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #121-83

WHEREAS, the Look Toward Life Group is made up of students from the Freehold Regional High School System; and

WHEREAS, the group proposes a Wildlife Refuge to be designed to meet and implement educational objectives enumerated by the Board of Education; and

WHEREAS, the Refuge would consist of 67.3± acres of land; and

WHEREAS, the Refuge would contain nature trails, campsite areas, an improved wildlife habitat and a possible outdoor amphitheatre; and

WHEREAS, the Mayor and Township Council of the Township of Marlboro listened to a presentation by the Look Toward Life Group;

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

1. That it heartily endorses the objective of a Wildlife Refuge as proposed by the Look Toward Life Group.

2. That such a Wildlife Refuge would be in the best interests of the communities which comprise the Freehold Regional High School District.

3. That all governing bodies as well as the Board of Education of the Freehold Regional High School District are hereby urged to lend support to the Look Toward Life Group and Wildlife Refuge project.

4. That certified copies of this Resolution be forwarded to the Look Toward Life Group.

The following Resolution #122-83 (Rejection of bids for Library Shelving and Authorization to rebid) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #122-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for

LIBRARY SHELVING

are hereby rejected and the Acting Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder.

BE IT FURTHER RESOLVED that the Acting Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for

LIBRARY SHELVING

as required by law.

The following Resolution #123-83 (Rejection of bids for Sound System in Court Room - Authorization to re-bid) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #123-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that all bids heretofore received for

SOUND SYSTEM IN COURT ROOM

are hereby rejected and the Acting Business Administrator is authorized and directed to return the bid bond or other security to the appropriate bidder.

BE IT FURTHER RESOLVED that the Acting Business Administrator be and she is hereby authorized and directed to advertise for open, competitive bids for

SOUND SYSTEM IN COURT ROOM

AS REQUIRED BY LAW.

The following Resolution #124-83 (Award of bid for: 7 Gang Diesel Tractor - Storr Tractor Company) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #124-83

BE IT RESOLVED THAT:

1. STORR TRACTOR COMPANY

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

SEVEN GANG DIESEL TRACTOR

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 Acting Business Administrator be and the same is hereby awarded to

Storr Tractor Company  
3191 Highway 22  
Somerville, New Jersey 08876

on their low bid of

\$24,853.00

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.

The following Resolution #125-83 (Award of bid for: Traffic and Safety Vehicle - Circle Chevrolet) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #125-83

BE IT RESOLVED THAT:

1. Circle Chevrolet

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

Traffic and Safety Vehicle

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 Acting Business Administrator be and the same is hereby awarded to

Circle Chevrolet  
641 Shrewsbury Ave.  
Shrewsbury, New Jersey 07701

on their low bid of

\$12,876.00

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.

The following Resolution #126-83 (Award of bid for: Trash Collection from Mun. Facilities - Freehold Cartage, Inc.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #126-83

BE IT RESOLVED THAT:

1. FREEHOLD CARTAGE, INC.

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

TRASH COLLECTION FROM TOWNSHIP FACILITIES

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 Acting Business Administrator be and the same is hereby awarded to

FREEHOLD CARTAGE INC.  
Box 14/5 RD#5  
Freehold, New Jersey 07728

on their low bid of (see attached)

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.

The following Resolution #127-83 (Award of bid for: Recreation Bussing - Greenwood Bus Co.) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #127-83

BE IT RESOLVED THAT:

1. GREENWOOD BUS COMPANY

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

RECREATION BUSSING

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 Acting Business Administrator be and the same is hereby awarded to

GREENWOOD BUS COMPANY  
327 Greenwood Road  
Matawan, New Jersey 07747

on their low bid of (see attached)

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.

The following Resolution #128-83 (Change Order #7 Municipal Park - Additional (2) benches) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #128-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Development of Marlboro Municipal Park; 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; 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 \$700.00.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment Leasing Co., shall remain in full force and effect. That upon acceptance by Consolidated Equipment Leasing 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 Consolidated Equipment Leasing Co., with instruction to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #129-83 ( Cancellation of Meetings - 6/16 and 6/23/83) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #129-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following meetings of the Township Council are hereby cancelled:

June 16, 1983

June 23, 1983

The following Resolution #130-83 (Liquor License Renewals) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #130-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the following liquor licenses be and they are hereby renewed for the period beginning July 1, 1983 and ending June 30, 1984:

1. Marlboro Liquors, Inc.	1328 44 001 002
2. Fireside Lodge	1328 33 003 001
3. Marlboro Bar & Liquors, Inc.	1328 33 004 001
4. Marlboro Inn	1328 33 005 002
5. Riverbank, Inc.	1328 33 008 003
6. Morganville General Store	1328 44 009 001
7. Andiron Inn	1328 33 010 002
8. C.A.S. Bar & Grill Inc.	1328 33 015 003
9. Morganville Bar & Grill Inc.	1328 33 007 001
10. Holland Orchards	1328 31 011 001
11. Morganville Ind. Fire Co.	1328 31 012 001
12. Morganville Vol. Fire Co.	1328 31 012 001
13. Robertsville Vol Fire Co.	1328 31 014 001

The license for LaCollina Enterprises 1328-33-002-003 was not renewed at this time because of a letter submitted by Gregorie Lardiere stating that there are discrepancies in the application for renewal. Councilman Ginsberg stated that once this is resolved there should be a special meeting called in order to pass the resolution on the renewal. It is not fair to leave someone hanging.

The following Resolution #131-83 (Award of bids for Road Materials) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #131-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that bids for the twenty-one (21) items of various road materials be awarded to the lowest bidders as listed on a memorandum from David Birnbaum, P.E. dated June 9, 1983 and attached hereto and made part hereof; and

BE IT FURTHER RESOLVED that contracts covering said work, labor and/or materials in accordance with the plans, specifications, advertisements, bids and contract documents now on file with the Township Acting Business Administrator be and the same are hereby awarded to the previously determined low bidders on the respective low bids as attached hereto; and

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 these transactions.

The Council President now opened the Public Session portion of the meeting. Jane Kantor, an attorney representing Levy Kopelovich, stated that she wished to address the Council on the matter of parking sticker regulations and the re-issuance of a sticker when lost. Her client has received 3 or 4 parking tickets because he has lost his sticker and parked in the lot without it. She wanted to know why a duplicate sticker couldn't be issued without cost. This should be made part of the ordinance. Council President Hourihan stated that the Clerk will issue a 3 x 5 card to her client with his car's data on it and he can use this to park in the lot until the issue has been resolved. Dr. Kopelovich stated that he thought a moratorium would be called on the tickets since he lost the sticker. There is no reason to question his integrity.

At this time Councilman Lerner moved that the meeting go into Closed Session for reason of discussing a matter of possible litigation. This was seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica ) Meeting went into Closed Session at 9:10 P.M. At 9:40 P.M. Councilman Lerner moved to open the Closed Session. This was seconded by Councilwoman Stokes and passed on a roll call vote of 3 - 0 in favor. (Absent - Mollica and Ginsberg) Councilman Lerner then moved to adjourn the meeting. This was seconded by Councilwoman Stokes and passed on a roll call vote of 3 - 0 in favor. Absent - Mollica and Ginsberg. Meeting was adjourned at 9:40 PM..

MINUTES APPROVED: *July 28, 1983*  
OFFERED BY: *Ginsberg*  
SECONDED BY: *Lerner*

*Evelyn Piccolini*  
EVELYN PICCOLINI, TWSH. CLERK

AYES:  
NAYS:

*James F. Hourihan*  
JAMES F. HOURIHAN, COUNCIL PRES.

MARLBORO TOWNSHIP COUNCIL MEETING

JULY 28, 1983

The Marlboro Township Council held a regular meeting on Thursday, July 28, 1983, at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to the Daily Register and the Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also Present were: Township Attorney Arthur Goldzweig, Acting Business Administrator Alayne Shepler and Municipal Clerk, Evelyn Piccolini.

The Council President then opened the CITIZEN'S VOICE portion of the meeting. There being no member of public wishing to speak, the Citizen's Voice was declared "closed".

Administrative Report - Mayor Hornik informed the public of the pending water meeting which is to be held on July 31, 1983 in the Municipal Building at 8:00 P.M. and requested that the press be present for full coverage.

A motion was put on the table by Councilman Ginsberg and seconded by Councilman Lerner to approve the minutes of May 12, May 26 and June 9, 1983. Passed on a roll call vote of 5 - 0 in favor.

The following Resolution #132-83/Ordinance #14-83 (Amendment to the Salary Ordinance) was introduced on first reading, offered by Councilman Ginsberg seconded by Councilwoman Mollica and passed on a roll call vote of 4 in favor and 1 against (Lerner)

RESOLUTION #132-83

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

ORDINANCE #14-83

"AN ORDINANCE AMENDING AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1983)

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 25, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #14-83

"AN ORDINANCE AMENDING AN ORDINANCE FIXING THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MARLBORO (1983)

BE IT ORDAINED by the Township Council of the Township of Marlboro, County of Monmouth as follows:

Section 1. Schedule A shall be amended to reflect the following change in salary:

"Police Records Clerk".....\$7000 - \$9279.  
This increase to become effective on June 15, 1983.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. This Ordinance shall take effect immediately upon passage and publication as required by law.

The following Resolution 133-83/Ordinance 15-83 (Amendment to the Code of the Township of Marlboro) was introduced on first reading, offered by Councilman Lerner and seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #133-83

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

ORDINANCE #15-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 103 THEREOF ENTITLED "PARKING: MUNICIPAL FACILITIES"

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 25, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #15-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 103 THEREOF ENTITLED "PARKING: MUNICIPAL FACILITIES"

BE IT ORDAINED by the Township Council of the Township of Marlboro, County of Monmouth as follows:

Section 1. Chapter 103 of the Code of the Township of Marlboro, Section 103-3C is hereby amended to read as follows:

"Section 103-3C. No vehicle shall be parked in any such parking area unless it displays in the lower rear corner of its left rear window a current and valid Permanently affixed decal, issued by the Township of Marlboro as herein provided."

Section 2. Chapter 103 of the Code of the Township of Marlboro, Section 103-3D is hereby amended to read as follows:

"Section 103-3D. No vehicle shall be parked or remain parked in any such parking area at certain time as may be designated by the Township Council."

Section 3. All Ordinances or parts of Ordinances inconsistent with the amendment contained herein shall be void.

Section 4. This Ordinance shall take effect immediately upon passage and publication as required by law.

The following Resolution #134-83 was introduced by reference by Councilman Lerner and seconded be Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #134-83

WHEREAS, Parc Chateau has requested the release of certain Performance Bonds with respect to Section 19A of a development known as Parc Chateau; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated July 20, 1983 from the Township Engineer, David Birnbaum, P.E.; and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full.

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

Section 1. The performance Bond which now totals \$143,883.52 shall be reduced to \$52,018.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$13,780.00.

Section 2. A certified copy of this Resolution shall be furnished to the Township Engineer and to Parc Chateau.

The following Resolution #135-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #135-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Change Fund in the amount of \$50.00 be established in the Township Clerk's office; and

BE IT FURTHER RESOLVED that the purpose of said Change Fund is to permit the Clerk to have the ability to furnish taxpayers with the appropriate change; and

BE IT FURTHER RESOLVED that this Change Fund shall not be considered to be a petty cash fund; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution will be furnished to the Township Clerk and to the Township Auditor.

The following Resolution #136-83 was introduced by reference by Councilman Ginsberg and Seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #136-83

WHEREAS, the Township Council of the Township of Marlboro has previously authorized a Petty Cash Account for the Township Treasurer's office in the amount of \$100.00; and

WHEREAS, all required approvals for the creation of the account were obtained; and

WHEREAS, the volume of the Treasurer's office and the number of transactions requires an increase in the Petty Cash Account from \$100.00 to \$200.00; and

WHEREAS, The Township Treasurer has requested the Township Council of the Township of Marlboro to authorize said increase;

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

1. That the Treasurer be and she is hereby authorized to increase the Township Treasurer's Petty Cash Fund from \$100.00 to \$200.00.

2. That certified copies of this Resolution be forwarded to the Township Treasurer and to the Township Auditor.

The following Resolution #137-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #137-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered; Alterations and Additions Marlboro Free Public Library; 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; 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 AND IT IS HEREBY RESOLVED:

1. That the Township Council approves and authorized 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 \$57.60.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Michael T. Gavan, Inc. shall remain in full force and effect. That upon acceptance by Michael T. Gavan, 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 Michael T. Gavan, Inc. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #138-83 was introduced by reference by Councilman Lerner and seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #138-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered; Alterations and Additions Marlboro Free Public Library, and

WHEREAS, the Township Council has received a recommendation that a change order be approved based upon the facts described in said recommendation, known as Change Order #4; 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 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 \$140.00.
3. That all of the terms and conditions of the original contract between the Township of Marlboro and Michael T. Gavan, Inc. shall remain in full force and effect. That upon acceptance by Michael T. Gavan, 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 Michael T. Gavan, Inc. with instructions to execute same and return to the Township Attorney's office forthwith.

The following Resolution #139-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #139-83

BE IT RESOLVED THAT:

1. Hodkinson Associates be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

LIBRARY SHELVING

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:

Hodkinson Associates  
Brier Hill  
East Brunswick, N.J.

on their low bid of \$17,970.00 (See attached)

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.

The following Resolution #140-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #140-83

BE IT RESOLVED THAT:

1. Carteret Ford be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

(2) DUMP TRUCKS

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:

Carteret Ford  
P.O. Box 309  
Carteret, N.J. 07008

on their low bid of: \$39,429.00 (2)

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.

The following Resolution #141-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #141-83

BE IT RESOLVED THAT:

1. Essex Floor Covering Industries, Inc. be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

FLOOR CARPETING AT LIBRARY

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:

ESSEX FLOOR COVERING INDUSTRIES, INC.

on their low bid of: \$11,916.00

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.

The following Resolution #142-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #142-83

BE IT RESOLVED THAT:

1. Miller Uniforms, Inc. be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

POLICE UNIFORMS

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:

MILLER UNIFORMS, INC.  
Throckmorton Street  
Freehold, NJ. 07728

on their low bid of: (SEE ATTACHED)

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.

The following Resolution #143-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #143-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting 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:

SWIM CLUB MANAGER FOR 1984 SEASON

The following Resolution #144-83 was introduced by reference by Councilwoman Stokes and seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #144-83

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

LOCKERS AT SWIM CLUB

The following Resolution #145-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #145-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting 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:

SNACK BAR MANAGEMENT FOR 1984 SEASON

The following Resolution #146-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #146-83

WHEREAS, from time to time the assessor discovers an error in calculation transporting, measurement or typographical errors in the tax assessments after the time that the County Tax Board has certified the tax rate; and,

WHEREAS, the Council of the Township of Marlboro is desirous that every taxpayer pays his fair share of taxes; and,

WHEREAS, if the discovered errors are not corrected, the taxpayers would be paying more than their fair share of taxes; and,

WHEREAS, the method of correcting such errors is to file a petition of appeal for the current year with the Monmouth County Board of Taxation;

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Marlboro that the Tax Assessor is hereby authorized to act as the agent for the taxing district and file a petition of appeal or appeals for the tax year of 1983 with the Monmouth County Board of Taxation to correct such errors and lower such assessments to the correct value after the County Board of taxation has certified the tax rate; and,

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that a copy of any petition of appeal filed with Monmouth County Board of taxation be filed with the Municipal Clerk; and,

BE IT FURTHER RESOLVED, by the Township Council of the Township of Marlboro that the tax assessor is also authorized to act as the agent for the taxing district in reference to signing a settlement stipulation regarding all tax appeals filed with the Monmouth County Board of taxation for the year 1983.

The following Resolution #147-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #147-83

WHEREAS, City Federal Savings has overpaid the 1982 Added Assessment Taxes for Block 49B Lot 44 assessed to Joseph J. and Carol C. Bryant, and

WHEREAS, the amount of the overpayment is \$851.86, the Tax Collector is hereby directed to refund this overpayment.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the amount of \$851.86 be refunded to City Federal Savings.

The following Resolution #148-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in fav or.

RESOLUTION #148-83

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 1982 property taxes, and

WHEREAS, the taxpayers who are listed on the attached Schedule "A" have paid their 1982 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 \$3,371.92 as per Schedule "A".

BLOCK	LOT	ASSESSED OWNER	OVERPAYMENT DUE TO HOMESTEAD REBATE
10	6	Lee and Wanda Sheeran	\$ 182.25
15	6	Frank Cash	232.25
26D	5C	Louis and Carol Domenico	182.25
26H	3	Anthony Trasmundi	182.25
27	20C	Della C Czajkowski	232.25
30	12	Richard J. Guth	182.25
32	5	Helen Cobb	182.25
45B	8	Irwin and Anita Greenspan	18.51
46E	1	George J. and Rose Kopilak	182.25
53A	17	Edward W. and Lorraine Smith	182.25
60D	29	Joel L. Frank	182.25
62E	23	Columbia Savings and Loan Assn.	182.25
63	26	John and B. Altobelli	182.25
630	18	Eli and Lisa Blitzer	182.25
65W	4	Stanley and Patricia Stone	111.26
70	16	Edward and Marie Goldman	182.25
71	12A	Alan J. Holland	182.25
79	13A	Kevin and Joyce Hye	182.25
81Y	2	James E. Dail	43.90
90	11	Carlton and Betty Borden	182.25
			\$3,371.92

The Following Resolution #149-83 was introduced by reference by Councilwoman Mollica and seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #149-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Bingo License #BA: 4-83 be and it is hereby renewed for a period of one year.

Said License is in the name of the Morganville Vol. Fire Co. #1 for games to be played each Tuesday from August 2nd, 1983 and thereafter until July 31st, 1984, except December 20th and December 27th, 1983.

BE IT FURTHER RESOLVED by the Township Council of the Township of Marlboro, that a certified copy of this Resolution be sent to the Legalized Games of Chance Control Commission and the Morganville Vol. Fire Co. #1.

The following Resolution #150-83 was introduced by reference by Councilman Lerner and seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #150-83

BE IT RESOLVED by the Township Council of the Township of Marlboro, that a Raffle License #RA: 7-83 be and it is hereby granted to the CENTRAL SCHOOL P.T.O. for a Raffle to be held on October 28, 1983 at 3:15 P.M. at Central School, 175 Highway 79, Marlboro, New Jersey.

The following Resolution #151-83 was introduced by reference by Councilman Ginsberg and seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #151-83

WHEREAS, Edward Hupp has honorably served in the Robertsville Volunteer Fire Company for a period of seven (7) years, and

WHEREAS, he 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 Edward Hupp is hereby declared an EXEMPT FIREMAN in the Township of Marlboro.

The Council President then opened the Public Session portion of the meeting. Mr. Boyce of Rt. 520 is opposed to the Junk Yard Ordinance. Feels owners should fence all of the area, not just portion which is in use at the time. Councilwoman Mollica suggested that he be present at the next open public meeting to

make his statements. He does not feel the cars should be stacked more than 2 cars high. It is unfair to adjacent property owners to look out of their windows and have the sun shine off the windshields of the cars. Mr. Goldzweig advised Mr. Boyce of the order which had been handed down.

Les Knittleman of Rt. 520 wasn't aware of junk yard on Rt. 520 when he first moved in, if he had been he wouldn't have purchased his home. Now he's stuck with the property, and there are more and more cars coming in every day. Also, wanted to know if a Township Official would supervise the placement of the fences, Council President Hourihan advised he was going to direct Ms. Shepler to ask Mayor Hornik to have aerials taken before yards expand more than they have already. Councilman Ginsberg advised Mr. Knittleman that the Ordinance would be enforced just as it had been written. The Code Enforcement Officer is responsible for the fence placement. Mr. Knittleman stated that the residents were under the impression from a conversation with Mr. Lester Jargowsky (Monmouth County Health Dept.) that a fence would be put up around the contaminated area, so that area children could not play there, They thought the "town was going to put up the fence". Councilman Ginsberg suggested that the residents get in touch with Mr. Jargowsky to ask about fencing. Mr. Knittleman wanted to know when the DEP would commence work at Arky's and Councilwoman Mollica advised him that there is some paperwork in the process at this time, and that was all she could add right now.

At this time Councilman Ginsberg moved to adjourn the meeting which was seconded by Councilman Lerner, passed on a roll call vote of 5 - 0 in favor.

The meeting adjourned at 8:45 P.M.

MINUTES APPROVED: August 25, 1983

OFFERED BY: Councilwoman Mollica

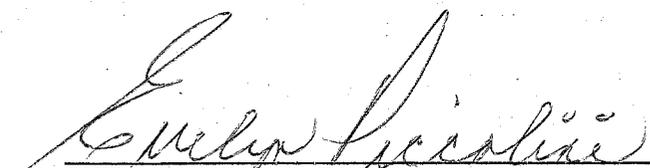
SECONDED BY: Councilman Lerner

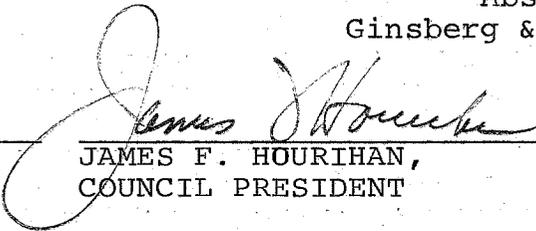
AYES: 3

NAYS: 0

Absent - 2

Ginsberg & Hourihan

  
EVELYN PICCOLINI,  
MUNICIPAL CLERK

  
JAMES F. HOURIHAN,  
COUNCIL PRESIDENT

MARLBORO TOWNSHIP COUNCIL MEETING

AUGUST 25, 1983

The Marlboro Township Council held a regular meeting on Thursday, August 25, 1983, at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Lerner and Councilwoman Mollica. Absent - Ginsberg and Stokes

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Acting Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. Betty Borden - Main Street - stated her concern over the widening of Route 79 near School Road West. Large trees would be removed and the road would be widened to three lanes. She felt the widening would lead to speeding and the loss of trees and moving of phone poles would detract from the attractiveness of the area. Mr. Goldzweig stated that since it is a state highway, the Township may not even be asked to approve of the project. The Mayor stated that he had talked to a Mr. Johnson from DOT and he informed the Mayor that they will re-examine that area and will get back to the Mayor the next day. The Mayor has informed him that the town is opposed to the widening of that particular area in the road. Florence Voorhees - Main Street - stated that that section of Route 79 is the oldest section of Marlboro Township and it is a very historical section. She would hate to see it destroyed. Barbara Vecchiarelli - Marlin Estates - stated that Marlin Estates has received the sewer grant and she wished to thank the Mayor, Council, Sally Mollica and the administration for their cooperative effort in obtaining the grant.

Administrative Report - The Mayor informed the people present that a traffic light will be installed at Wyncrest Road and Route 520. He thanked the Traffic and Safety department of the police department for all their work in bringing this about. He also stated how pleased he was that Marlin Estates had received the sewer grant, citing that it was a team effort. He also stated that the engineering work must be completed by Shorr Engineering by September 16 in order to get the grant money for this year. Marlin Estates will have sewers by the summer of 1984.

The Council President then opened the Public Hearing on Resolution #153-83/ Ordinance #14-83 (Amendment to Salary Ordinance). There being no one from the public who wished to speak, the Public Hearing was declared closed. Councilman Lerner moved to table Resolution #153-83/Ord 14-83. There was no second.

Council President Hourihan then offered Res. #153-83/Ord. #14-83. There was no second. Resolution #153-83/Ordinance #14-83 (Amendment to the Salary Ord.) became null and void due to a lack of a second.

Council President Hourihan then opened the Public Hearing on RES. #154-83/ Ordinance #15-83 (Amendment to Parking Lot Ordinance). There being no one from the public who wished to speak, the Public Hearing was declared closed. The following Resolution #154-83/Ord. #15-83 was then introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. (Absent -Ginsberg and Stokes)

RESOLUTION #154-83

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

ORDINANCE #15-83

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO, CHAPTER 103 THEREOF ENTITLED "PARKING: MUNICIPAL FACILITIES"

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

The following Resolution #155-83 (Sale of \$5,532,000.00 Bonds) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. (Absent - Ginsberg and Stokes)

\*note: The Township Attorney stated for the record that there are 3 votes present. He feels that a fourth vote is not needed for this resolution and he suggests that the Council go ahead and vote on the resolution.

RESOLUTION #155-83

RESOLUTION PROVIDING FOR THE SALE OF \$5,532,000 GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DO RESOLVE AS FOLLOWS:

Section 1. Of the \$6,235,350 Bonds originally authorized by the Township of Marlboro, in the County of Monmouth, New Jersey, referred to and described in the ordinance adopted on November 18, 1982 by the Township Council, entitled: "Bond ordinance authorizing the issuance of \$6,235,350 bonds of the Township of Marlboro, in the County of Monmouth, New Jersey, to fund or retire notes heretofore authorized for various improvements or purposes undertaken by the Township", \$2,885,000 principal amount (consisting of \$1,850,000 pursuant to paragraph (d) of said ordinance, \$15,000 for the new municipal and police building pursuant to paragraph (f) of said ordinance, and \$1,010,000 pursuant to paragraph (e) of said ordinance) shall be issued and shall be designated Series A.

Said Series A bonds shall mature in the principal amount of \$150,000 on October 1 in each of the years 1984 to 1990, both inclusive, \$275,000 on October 1 in each of the years 1991 to 1996, both inclusive, and \$185,000 on October 1 in the year 1997. Of the \$6,235,350 Bonds originally authorized by the Township of Marlboro, in the County of Monmouth, referred to and described in the ordinance adopted on November 18, 1982 by the Township Council, entitled: "Bond ordinance authorizing the issuance of \$6,235,350 bonds of the Township of Marlboro, in the County of Monmouth, New Jersey to fund or retire notes heretofore authorized for various improvements or purposes undertaken by the Township", \$2,647,000 principal amount (consisting of \$60,000 for the purchase of the house for police and municipal purposes and \$25,000 for the library addition pursuant to paragraph (f) of said ordinance and of the following amounts pursuant to the paragraphs set forth below:

(b)	\$ 35,000	(l)	\$ 28,500
(c)	425,600	(m)	320,000
(g)	134,550	(n)	163,000
(h)	500,000	(o)	104,500
(i)	475,000	(p)	25,000
(j)	52,250	(q)	190,000
(k)	52,000	(r)	57,000

shall be issued and shall be designated Series B. Said Series B bonds shall mature in the principal amount of \$100,000 on October 1 in each of the years 1984 to 1990, both inclusive, \$170,000 on October 1 in the year 1991, \$200,000 on October 1 in each of the years 1992 to 1999, both inclusive, and \$177,000 on October 1 in the year 2000.

All of said bonds of each issue shall be in the denomination of \$5,000 each, except that the bonds sold which mature in any one year in excess of the largest principal amount there of equaling a multiple of \$5,000 shall be of the denomination of \$1,000, shall be numbered from one upwards in order of maturity, shall be dated October 1, 1983, shall bear interest payable semi-annually on the first days of April and October in each year. Said bonds shall be issued in registered form and shall be payable as to both principal and interest in lawful money of the United States of America at a bank or banks to be designated by the Township Council of the Township of Marlboro, shall be executed in the name of the Township of Marlboro by the Mayor and Township Treasurer, under the seal of the Township of Marlboro, affixed and attested by the Clerk thereof, and the coupons attached to said bonds shall be authenticated by the facsimile signature of said Treasurer, and shall have printed thereon the approving opinion of Messrs. Stroock, Stroock and Lavan, together with a Certificate bearing the facsimile signature of said Clerk stating that a duplicate copy of said opinion has been filed in the office of said Clerk and with the Paying Agent of said bonds.

Section 2. Said \$5,532,000 bonds shall be sold upon sealed proposals on September 22, 1983 at 8 P.M. at the Municipal Building, Marlboro, New Jersey, and the Township is hereby authorized and directed to publish a notice of sale of said bonds at least once in the "Daily Register" a newspaper published and circulating in The Township of Marlboro, and also in "The Daily Bond Buyer", a financial newspaper carrying municipal bond notices and published

in the City of New York, each such publication to be not less than seven days prior to the date of sale.

Section 3. Said notices of sale shall be substantially the following form:

THE TOWNSHIP OF MARLBORO  
IN THE COUNTY OF MONMOUTH,  
NEW JERSEY  
notice of \$2,885,000 Bond Sale  
(Series A Bonds)

SEALED PROPOSALS will be received by the Township of Marlboro, in the County of Monmouth, New Jersey, at the Municipal Building, Marlboro, New Jersey, on September 22, 1983 until 8 P.M. for the purchase of \$2,885,000 (being part of an authorized issue of \$6,235,350) General Improvement Bonds of said Township, maturing in the principal amount of \$150,000 on October 1 in each of the years 1984 to 1990, both inclusive, \$275,000 on October 1, in each of the years 1991 to 1996, both inclusive, and \$185,000 on October 1 in the year 1997.

The bonds will be dated October 1, 1983, with interest payable April 1, and October 1 in each year until maturity.

All of the bonds will be of the denomination of \$5,000 except that the bonds sold of each issue which mature in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be of the denomination of \$1,000. The Bonds will be issued in registered form and will be payable at a bank or banks to be designated by the Township Council.

Each proposal must specify in a multiple of 1/8 or 1/20 of 1% a single rate of interest which the bonds are to bear, and no proposal will be considered which specifies a rate higher than the lowest rate stated in any legally acceptable proposal. Each proposal must state the amount bid for the bonds, which shall be not less than \$2,885,000 nor more than \$2,886,000.

As between legally acceptable proposals specifying the same rate of interest, the bonds will be sold to the bidder complying with the terms of sale and offering to accept for the amount bid in the least amount of bonds, the bonds so accepted to be in any multiple of \$1000 and to be those first maturing, and if two or more bidders offer to accept the same least amount, then to the bidder offering to pay therefor the highest price. The purchaser must also pay an amount equal to the interest on the bonds accrued to the date of payment of the purchase price.

All bidders are required to deposit a certified, cashier's or treasurer's check payable to the order of The Township of Marlboro, in the County of Monmouth, New Jersey for \$57,700 drawn upon a bank or trust company, partially to secure the terms of his bid and such check should be enclosed with his proposal. The right is reserved to reject all bids, and any bid not complying with the terms of this notice of sale will be rejected.

Each proposal must be enclosed in a sealed envelope and should be marked on the outside "Proposal for Bonds" and addressed to the undersigned.

The successful bidder will be furnished without cost, the approving opinion of Messrs. Strock & Strock & Layan, of New York, New York, to the effect that the bonds are valid and legally binding obligations of said Township and that all the taxable property therein will be subject to the levy of ad valorem taxes to pay said bonds and interest thereon without limitation as to rate or amount, and certificates in form satisfactory to said firm evidencing the proper execution and delivery of the bonds and receipt of payment therefor, including a statement, dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signer thereof) threatened affecting the validity of the bonds.

THE TOWNSHIP OF MARLBORO,  
IN THE COUNTY OF MONMOUTH,  
NEW JERSEY  
NOTICE OF \$2,647,000 BOND SALE  
(Series B Bonds)

SEALED PROPOSALS will be received by the Township of Marlboro, in the County of Monmouth, New Jersey, at the Municipal Building, Marlboro, New Jersey on September 22, 1983 until 8 P.M., for the purchase of \$2,647,000 (being part of an authorized issue of \$6,235,350) General Improvement Bonds of said Township, maturing in the principal amount of \$100,000 on October 1 in each of the years 1984 to 1990, both inclusive, \$170,000 on October 1, in the year 1991, \$200,000 on October 1 in each of the years 1992 to 1999, both inclusive, and \$177,000 on October 1 in the year 2000.

The bonds will be dated October 1, 1983, with interest payable April 1, and October 1, in each year until maturity.

All of the bonds will be of the denomination of \$5,000, except that the bonds sold of each issue which mature in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be of the denomination of \$1,000. The bonds will be issued in registered form and will be payable at a bank or banks to be designated by the Township Council.

Each proposal must specify in a multiple of 1/8 or 1/20 of 1% a single rate of interest which the bonds are to bear, and no proposal will be considered which specifies a rate higher than the lowest rate stated in any legally acceptable proposal. Each proposal must state the amount bid for the bonds, which shall be not less than \$2,647,000 nor more than \$2,648,000.

As between legally acceptable proposals specifying the same rate of interest, the bonds will be sold to the bidder complying with the terms of sale and offering to accept for the amount bid in the least amount of bonds, the bonds so accepted to be in any multiple of \$1,000 and to be those first maturing, and if two or more bidders offer to accept the same least amount, then to the bidder offering to pay therefor the highest price. The purchaser must also pay an amount equal to the interest on the bonds accrued to the date of payment of the purchase price.

All bidders are required to deposit a certified, cashier's or treasurer's check payable to the order of the Township of Marlboro, in the County of Monmouth, New Jersey for \$52,940 drawn upon a bank or trust company, partially to secure the terms of his bid and such check should be enclosed with his proposal. The right is reserved to reject all bids, and any bid not complying with the terms of this notice of sale will be rejected.

Each proposal must be enclosed in a sealed envelope and should be marked on the outside "Proposal for Bonds" and addressed to the undersigned.

The successful bidder will be furnished without cost, the approving opinion of Messrs. Stroock & Stroock & Lavan of New York, New York, to the effect that the bonds are valid and legally binding obligations of said Township and that all the taxable property therein will be subject to the levy of ad valorem taxes to pay said bonds and interest thereon without limitation as to rate or amount, and certificates in form satisfactory to said firm evidencing the proper execution and delivery of the bonds and receipt of payment therefor, including a statement, dated as of the date of such delivery, to the effect that there is no litigation pending or (to the knowledge of the signer thereof) threatened affecting the validity of the bonds.

Section 4. This resolution shall take effect immediately.

The following RESolution #156-83 (General Comments and Recommendations of Annual Audit Report for 1982) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. (Absent - Ginsberg and Stokes)

RESOLUTION # 156-83

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 1982 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 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-52 - "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 shall forfeit his office."

NOW, THEREOFE, BE IT RESOLVED, by the Township Council of the Township of Marlboro, hereby states that it has complied with the promulgation 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.

The following Resolution #157-83 (MUA Water Rates, Charges and other Fees) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. (Absent - Ginsberg and Stokes)

RESOLUTION #157-83

WHEREAS, the Marlboro Township Municipal Utilities Authority has, heretofore, on or about February 2, 1973, adopted a Schedule of Water Rates, Charges and other Fees; and

WHEREAS, the MTMUA has heretofore undertaken a water systems expansion and capital improvements project to expand and improve its water systems to meet the needs of its present and future water customers; and

WHEREAS, the MTMUA has deemed it necessary and reasonable to increase and/or restructure certain water rates and charges set forth in the aforementioned Schedule, in order that the MTMUA may finance the costs associated with and resulting from the aforementioned project and continue to provide and distribute an adequate supply of water for the public and private uses of its service area and customers, and to otherwise provide adequate, continuous and proper water service to its users and continue to meet its fiscal obligations under bonded indebtedness and other obligations, statutory and otherwise; and

WHEREAS, the MTMUA has, heretofore, undertaken a study of water rates to determine and ascertain the nature and extent of any increases to or restructuring of its Schedule of Water Rates and Charges and the necessity and reasonableness thereof; and

WHEREAS, the MTMUA has held public hearings regarding proposed increases to and restructuring of its Schedule of Water Rates and has, on August 9, 1983, adopted and approved a revised Schedule of such Water Rates, to become effective on December 1, 1983, a copy of which is annexed hereto; and

WHEREAS, pursuant to the 1971 Service Contract between the MTMUA and the Township of Marlboro, the Township must pay annual charges to the MTMUA if the revenues received by the MTMUA, during any fiscal year, are not sufficient to meet all operating expenses, debt service and all other proper costs and charges incurred by the MTMUA; and

WHEREAS, pursuant to Section 303 of the aforesaid 1971 Service Contract, the Township of Marlboro must consent to (or approve) any modification of the MTMUA's Schedule of Water Rates in that if revenues to be received by the MTMUA in accordance with such Schedule of Water Rates are insufficient to cover the MTMUA's annual operating expenses, debt service and other costs, the Township may be subject to the payment of annual charges; and

WHEREAS, the MTMUA has made a presentation to the Township of Marlboro, stating, in part, that it is the opinion of the MTMUA, based upon certain projections and historical data, that the revenues to be derived from the assessment of water charges in accordance with the revised Schedule of Water Rates, together with revenues to be derived from other sources, shall be sufficient to cover the MTMUA's annual operating expenses, debt service and other costs;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that all consents or approvals, required by and pursuant to the 1971 Service Contract between the MTMUA and the Township of Marlboro, be and the same are hereby given with respect to the revised Schedule of Water Rates adopted by the MTMUA on August 9, 1983 to become effective on December 1, 1983.

#### MARLBORO TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

#### SCHEDULE OF WATER RATES

Adopted: August 9, 1983  
Effective: December 1, 1983

Schedules A, B and C and the Public Fire Protection Charge Schedule as previously adopted by the Marlboro Township Municipal Utilities Authority effective February 2, 1973, and as set forth in "Water Rates - Marlboro Township Municipal Utilities Authority," are amended and superceded by the following Schedule of Water Rates:

SCHEDULE A

Water Rates for all single-family, residential units with individual water meters, multi-family residential units with separate, individual meters and all industrial and commercial units, including privately owned and operated schools, academies, nurseries, boarding schools and other establishments, whether served by individual or multiple meters, shall be calculated and determined in accordance with the following Schedule, regardless of meter size:

I. Basic quarterly service charge, per meter: \$20.00

The foregoing basic quarterly service charge shall be assessed for each meter, regardless of meter size or classification. Such basic quarterly service charge does not include and does not entitle any customer to any allowance for water consumed. In addition to the foregoing quarterly service charge, each customer shall be charged for all water actually consumed through each meter, on a quarterly basis, in accordance with the following:

<u>II. GALLONS CONSUMED QUARTERLY</u>	<u>RATE PER 1,000 GALLONS</u>
For the first 0 to 15,000	\$0.75
15,001 through 30,000	\$1.60
30,001 through 50,000	\$3.00
50,001 through 80,000	\$3.60
80,001 and above	\$4.00

SCHEDULE B

Water rates for all multi-family, residential units (one meter for a residential development of two or more units) shall be calculated and determined in accordance with the following Schedule, regardless of meter size:

I. Basic quarterly service charge, per dwelling unit: \$20.00

The foregoing basic quarterly service charge shall be assessed for each dwelling unit in the development, regardless of the size of the master meter. Such basic quarterly service charge does not include and does not entitle any customer/unit to any allowance for water consumed. In addition to the foregoing service charge, the quarterly charges for water actually consumed for each such development shall be determined in accordance with the following:

II. The metered usage recorded on the master meter each quarter shall be divided by the number of dwelling units in the development, which will yield the average quarterly usage per dwelling unit. The charges to be assessed for such average usage per dwelling unit shall be determined in accordance with the water rates set forth in Schedule A, II. The resulting average quarterly charges, per dwelling unit, for water actually consumed shall be multiplied by the total number of dwelling units within the development to arrive at a total charge for metered water usage per quarter.

SCHEDULE C

Water rates for all public schools shall be calculated and determined in accordance with the following Schedule, regardless of meter size:

I. Basic quarterly service charge, per classroom: \$10.00

The foregoing basic quarterly service charge shall be assessed for each classroom in each public school, regardless of the size of the master meter servicing any such public school. Such basic quarterly service charge does not include and does not entitle any public school or classroom to any allowance for water consumed. In addition to the foregoing service charge, the quarterly charges for water actually consumed for each such public school shall be determined in accordance with the following:

II. The charges for all metered usage shall be calculated in accordance with the calculations set forth in Schedule B, II, except that in said calculation the phrase "dwelling unit(s)" shall mean "classroom(s)" and the word "development" shall mean "public school."

#### SCHEDULE D

Schedule D, "Water Service/Use/Connection Fees," adopted and effective June 13, 1979, is unchanged.

#### SCHEDULE E

Private Fire Protection Charges, adopted and effective February 7, 1973, hereby designated as Schedule E, are unchanged.

#### SCHEDULE F

Public Fire Protection Charges, hereby designated as Schedule F, shall be assessed and charged in accordance with the following Schedule:

Quarterly charge, per fire hydrant: \$42.60.

The following RESolution #158-83 (Bond Reduction Deep Run Estates) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 3 - 0 in favor. Absent - Ginsberg and Stokes.

#### RESOLUTION #158-83

WHEREAS, Deep Run Estates has posted a Performance Bond in the amount of \$220,074.00 with the Township of Marlboro; and

WHEREAS, of that amount \$21,145.00 is for certain improvements on Conover Road which is a County road; and

WHEREAS, The County of Monmouth will require the posting of the Bond in the amount of \$21,145.00 for its benefit;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the original Performance Bond in the amount of \$220,074.00 posted by Deep Run Estates be reduced to \$198,929.00 and that the reduction in the amount of \$21,145.00 be posted to Monmouth County; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to Deep Run Estates and to the Township Engineer.

The following Resolution #159-83 (Bond Reduction Prides Crossing - Sections 4,5,6 and 7) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. Absent - Ginsberg and Stokes.

RESOLUTION #159-83

WHEREAS, Hoal Associates, Inc. has requested the release of certain Performance Bonds with respect to Sections 4,5,6 and 7 of a development known as Prides Crossing; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated August 18, 1983 from the Township Engineer, David Birnbaum, P.E.; and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full;

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

Section 1. The Performance Bond for Section 4 which now totals \$155,605.00 shall be reduced to \$78,335.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$11,590.00

Section 2. The Performance Bond for Section 5 which now totals \$100,556.00 shall be reduced to \$47,789.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$7,915.00

Section 3. The Performance Bond for Section 6 which now totals \$52,630.00 shall be reduced to \$6,929.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$6,855.00

Section 4. The Performance Bond for Section 7 which now totals \$38,999.00 shall be reduced to zero. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$5,850.00 The Bond release in Section 7 shall be further contingent upon the furnishing of as-built drawings.

Section 5. That a certified copy of this Resolution shall be furnished to the Township Engineer and to Hoal Associates, Inc..

The following Resolution #160-83 (Bond Release Buttonwood Acres - Sections 1,2,3,4, and 5) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. Absent - Ginsberg and Stokes.

RESOLUTION #160-83

WHEREAS, Buttonwood Farms has requested the release of certain Performance Bonds with respect to Sections 1,2,3,4 and 5 of a development known as Buttonwood Farms or Buttonwood Acres; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated August 16, 1983 from the Township Engineer, David Birnbaum, P.E.; and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Marlboro that the following Bonds be reduced;

Section 1. The Performance Bond for Section 1 which now totals \$47,223.00 shall be reduced to \$2,162.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$6,759.00.

Section 2. The Performance Bond for Section 2 which now totals \$33,097.00 shall be reduced to \$2,894.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$4,530.00.

Section 3. The Performance Bond for Section 3 which now totals \$32,289.00 shall be reduced to \$3,548.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$4,311.00.

Section 4. The Performance Bond for Section 4 which now totals \$79,304.00 shall be reduced to \$2,300.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$11,551.00.

Section 5. The Performance Bond for Section 5 which now totals \$466,871.00 shall be reduced to \$12,709.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$68,124.00.

Section 6. A certified copy of this Resolution shall be furnished to the Township Engineer and to Buttonwood Farms.

The following RESolution #161-83 (Authorization bid for: (4) Snowplows) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 3 - 0 in favor. Absent - Ginsberg and Stokes.

RESOLUTION #161-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Acting 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;

(4) Snowplows

Councilwoman Mollica moved that the minutes of the Regular Council Meeting of July 28, 1983 be approved. This was seconded by Councilman Lerner and passed on a roll call vote of 3 - 0 in favor. Absent - Ginsberg and Stokes

Having finished with the business portion of the agenda, the Council President then opened the Public Session portion of the meeting. There being no one who wished to speak, the Public Session was declared closed.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 3 - 0 in favor. Absent - Ginsberg and Stokes. The meeting was adjourned at 8:25 P.M..

MINUTES APPROVED: September 22, 1983

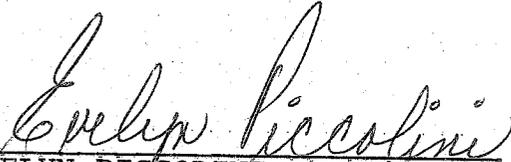
OFFERED BY: Councilman Ginsberg

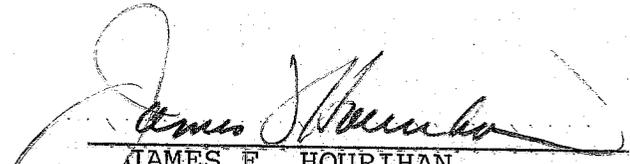
AYES: 2

SECONDED BY Councilman Lerner

NAYS: 0

ABSENT: 3 - Ginsberg, Mollica  
and Stokes

  
 \_\_\_\_\_  
 EVELYN PICCOLINI  
 Township Clerk

  
 \_\_\_\_\_  
 JAMES F. HOURIHAN  
 Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

SEPTEMBER 22, 1983

The Marlboro Township Council held a regular meeting on Thursday, Sept. 22, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Deputy Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner and Councilwoman Stokes. Absent - Mollica

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Acting Business Administrator Alayne Shepler and Deputy Township Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. There being no one signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - Mayor Hornik reported that the road work in the Township is nearing completion. This included the widening of Church and Gordons Corner Road, the road near the Middle School and Greenwood Road. He also announced that the Fall Clean-up would take place starting Oct. 1 and going through October 8th. Notices have been sent out through the schools, as well as the newspapers.

At this point the Council President asked if there were any more bids to be submitted for the Bond Sale. There were none. The Deputy Clerk then turned over the bids that had been submitted to her to the Township Auditor, Joseph Seaman and the Bond Attorney, Thomas Bach. They then opened the sealed bids and read the following bids on \$5,532,000 of Bonds.

Name of Bidder	Interest Rate	Am't Bid For	Am't of Bid
Franklin State Bank	8.0%	\$2,884,000.00	\$2,885,163.19
" " "	8.30%	\$2,645,000.00	\$2,647,233.20
Prudential-Bache	8.15%	\$2,883,000.00	\$2,885,625.29
" "	8.40%	\$2,645,000.00	\$2,647,812.80
Midlantic Nat'l Bank	8.15%	\$2,885,000.00	\$2,885,288.50
" " "	8.45%	\$2,647,000.00	\$2,647,264.70
Amboy-Madison Nat'l Bk.	8.20%	\$2,885,000.00	\$2,885,034.10
" " " "	8.45%	\$2,647,000.00	\$2,647,193.35

At this point the Council President went on with the business of the meeting while Mr. Bach and Mr. Seaman conferred on the bids. They would indicate to the President when they were ready with their decision.

The following Resolution #162-83/Ordinance #16-83 (Amendment to Zoning Ord. #13-78) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #162-83

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

ORDINANCE #16-83

"AN ORDINANCE AMENDING AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED " AN ORDINANCE LIMITING AND RESTICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDINGS AND STRUCTURES ACCORDING TO THE CONSTRUCTION AND THE NATURE AND EXTENT OF THE USE OF THE LAND: PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENTS OF THE PROVISIONS OF THE ORDINANCE: ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATIONS IN THE TOWNSHIP OF MARLBORO" AND KNOWN AS THE ZONING ORDINANCE 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 October 13, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

BE IT FURTHER RESOLVED that a copy of the proposed Ordinance be forwarded to the Planning Board.

ORDINANCE #16-83

"AN ORDINANCE AMENDING AN ORDINANCE SUPPLEMENTING AND AMENDING 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 ENFORCEMENTS OF THE PROVISIONS OF THE ORDINANCE: ESTABLISHING A BOARD OF ADJUSTMENT AND FIXING PENALTIES FOR VIOLATIONS IN THE TOWNSHIP OF MARLBORO" AND KNOWN AS THE ZONING ORDINANCE OF THE TOWNSHIP OF MARLBORO."

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

Section 1. That Section 301 of the Ordinance entitled "Zoning Map" shall be amended to read as follows:

"The boundary of all Zoning Districts set forth in the Ordinance shall be as shown on a map dated September 1983 and entitled "Zoning Map of the Township of Marlboro". Such map is hereby made a part of this Ordinance."

Section 2. That Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

Section 3. That this Ordinance shall take effect immediately upon passage and publication as required by law.

The following RESolution #163-83 (Special Item of Revenue) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #163-83

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

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

Section I. NOW, THEREFORE, BE IT RESOLVED that the Township of Marlboro hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 1983 in the sum of \$4,000.00; which item is now available as a revenue from the County of Monmouth pursuant to the provisions of statute, and

Section II. BE IT FURTHER RESOLVED that a like sum of \$4,000.00 be and the same is hereby appropriated under the caption of Marlboro Township Senior Citizens Resource Center Project 13-031.

Section III. BE IT FURTHER RESOLVED that the above is the result of funds received for participation in Senior Citizens Resource Center.

The following Resolution #164-83 (Award of Bid - Fall Clean-up - Freehold Cartage) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #164-83

BE IT RESOLVED THAT:

1. FREEHOLD CARTAGE  
be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

1983 FALL CLEAN UP

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

FREEHOLD CARTAGE  
Box 14-5 RD 5  
Freehold, New Jersey 07728

on their low bid of (SEE ATTACHED)

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.

Councilman Lerner moved to amend the following Resolution #165-83 (Council Decision of Brenner Appeal) to read "3. That the matter be remanded to the Planning Board". This was seconded by Councilman Ginsberg and passed on a roll call vote of 3 - 1. Nay - Stokes (Absent - Mollica)

Councilman Lerner then offered the following Resolution #165-83 as amended. This was seconded by Councilman Ginsberg and passed on a roll call vote of 3 - 1 in favor. Nay - Stokes (Absent - Mollica)

RESOLUTION #165-83

WHEREAS, Charles H. Brenner made application to the Zoning Board of Adjustment of the Township of Marlboro in a matter known as "In the Matter of the Application of Charles H. Brenner for a Hardship Variance in RE: Property Located in Block 65, Lots 32A and 32B, Marlboro Tax Map"; and

WHEREAS, said application was designated as File No. ZB82-5170; and

WHEREAS, on April 19, 1983, the Zoning Board of Adjustment denied the application of Charles H. Brenner; and

WHEREAS, pursuant to the Land Use Act and the Ordinances of the Township of Marlboro, the applicant filed a timely appeal to the Township Council of the Township of Marlboro; and

WHEREAS, the Township Council has pursuant to the Land Use Act and the ordinances of the Township of Marlboro conducted the appeal after due notice was given to all those parties entitled to receive notice; and

WHEREAS, the Township Council of the Township of Marlboro has completely reviewed the record below; and

WHEREAS, a hearing on the matter was held on September 15, 1983;

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

1. That the Zoning Board of Adjustment decision in the case known as "In the Matter of the Application of Charles H. Brenner for a Hardship Variance in RE: Property located in Block 65, Lots 32A and 32B, Marlboro Tax Map" be and it is hereby reversed.

2. That the variances requested by the applicant be and they are hereby granted.

3. That the matter be remanded to the Planning Board of the Township of Marlboro so that it may hear the site plan application required in connection with the variances herein granted.

4. That certified copies of this Resolution be furnished to the Zoning Board of Adjustment and the applicant and the Planning Board.

5. That the Township Clerk be and she is hereby authorized and directed to satisfy the publishing requirements of the Land Use Act of the State of New Jersey and the Ordinances of the Township of Marlboro.

At this point in the proceedings, Mr. Bach and Mr. Seaman indicated that they had come to a decision regarding the Bond Sale. They recommended the acceptance of bid of The Franklin State Bank.

The Township Attorney then read the following 2 resolutions.

RESOLUTION #170-83

Mr. Lerner introduced and moved the adoption of the following resolution and Mrs. Stokes seconded the motion:

RESOLUTION MAKING THE AWARD OF \$2,884,000. BONDS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY.

THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DO RESOLVE AS FOLLOWS:

Section 1. The \$2,884,000. General Improvement Bonds of the Township of Marlboro, in the County of Monmouth, New Jersey, authorized to be sold by resolution of the Township Council and by virtue of an ordinance duly adopted by the Township Council, are hereby awarded to Franklin State Bank at 8% for \$2,885,163.19.

Section 2. The Mayor, Township Treasurer and Township Clerk are hereby authorized to execute and deliver said bonds.

Section 3. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES: 4 - Ginsberg, Lerner, Stokes and Hourihan

Nays: 0

ABSENT - 1 - Mollica

RESOLUTION #171-83

Mr. Lerner introduced and moved the adoption of the following resolution and Mrs. Stokes seconded the motion:

RESOLUTION MAKING THE AWARD OF \$2,645,000. BONDS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY

THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DO RESOLVE AS FOLLOWS:

Section 1. The \$2,645,000. General Improvement Bonds of the Township of Marlboro, in the County of Monmouth, New Jersey, authorized to be sold by resolution of the Township Council and by virtue of an ordinance duly adopted by the Township Council, are hereby awarded to Franklin State Bank at 8.30% for \$2,647,233.20

Section 2. The Mayor, Township Treasurer and Township Clerk are hereby authorized to execute and deliver said bonds.

Section 3. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES: 4 - Ginsberg, Lerner, Stokes and Hourihan

NAYS: 0

ABSENT: 1 - Mollica

Mr. Seaman pointed out that by rejecting the bids at the last bond sale and waiting until now, the taxpayers have been saved \$940,000.00. It was also decided that the paying agent will be determined by the Council. It is to be put on the agenda for the next Caucus Meeting. This will be October 6, 1983. The Treasurer and the Auditor are to analyze any proposals that they receive and present their decision to the Council at that meeting.

The following Resolution #166-83 (Falson Lane Water Project) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION # 166-83

WHEREAS, the Mayor and Township Council have reviewed a project known as "The Falson Lane Water Project" for the Marlboro Township Municipal Utilities Authority; and

WHEREAS, the Mayor and Township Council have been advised by the Marlboro Township Municipal Utilities Authority that the project would not be a self-liquidating project within the next five years and therefore requires approval of the Township of Marlboro pursuant to Section 202 of the 1971 Service Agreement between the Township of Marlboro and the Marlboro Township Municipal Utilities Authority; and

WHEREAS, the proposed project was referred to the Planning Board of the Township of Marlboro for its review and recommendation pursuant to the Municipal Land Use Act;

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

1. That the consent required under Section 202 of the Service Agreement between the Township of Marlboro and the Marlboro Township Municipal Utilities Authority be and the same is hereby granted to a project known as "The Falson Lane Water Project".
2. That the proper township officials be and they are hereby authorized and directed to execute any documents necessary to reflect the consent granted under Section 202 of said Service Agreement.
3. That this approval does not authorize the encumbrance or the expenditure of any funds of the Township of Marlboro and that the project is to be fully funded by the Marlboro Township Municipal Utilities Authority.
4. That certified copies of this Resolution shall be furnished to the Marlboro Township Municipal Utilities Authority and to the Planning Board of the Township of Marlboro.

The following Resolution #167-83 (Bond Reduction U.S. Homes - Sect. 15) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 3 - 1 in favor. Nay - Lerner (Absent - Mollica)  
Councilman Lerner voted nay because he questioned the Maintenance Bond. He thought that it should be longer than 2 years. Re: the roadways were not standard. He said that he could be wrong but he thought it was that section.

RESOLUTION #167-83

WHEREAS, U.S. HOME CORP. has requested the release of certain Performance Bonds with respect to Section 15 of a development known as Whittier Oaks II; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated September 15, 1983 from the Township Engineer, David Birnbaum, P.E.; and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full;

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

Section 1. The Performance Bond for Section 15 which now totals \$207,800.00 shall be reduced to \$130,801.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$11,550.00.

Section 2. That a certified copy of this Resolution shall be furnished to the Township Engineer and to U.S. Homes Corp.

The following Resolution #168-83 (Release of Letter of Credit - J M & M Const.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #168-83

WHEREAS, J M & M CONSTRUCTION CO. has requested the release of a letter of credit and a cash bond for site plans known as P.B. 173-81 and P.B. 175-81 for Block 53, Lots 48-H and 48-G respectively; and

WHEREAS, the Township Council of the Township of Marlboro has received two reports dated September 15, 1983 from the Township Engineer, David Birnbaum, P.E.; and

WHEREAS, those reports are attached hereto and made part hereof as though set forth in full;

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

Section 1. That the original Letter of Credit No. 10572 in the amount of \$16,251.00 for P.B. 173-81, Block 53, Lot 48-H be and it is hereby released in its entirety. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$2,438.00.

Section 2. That a cash bond in the amount of \$22,056.00 pursuant to P.B. 175-81, Block 53, Lot 48-G be and it is hereby released in its entirety. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$3,308.00.

Section 3. That a certified copy of this Resolution shall be furnished to the Township Engineer and to JM&M Construction Co.

The following Resolution #169-83 (Raffle License - Marlboro Jewish Center) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #169-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Raffle License #8-83 be and it is hereby granted to the MARLBORO JEWISH CENTER for a raffle to be held on December 17, 1983 at 9:00 P.M. at the Jewish Center, Wyncrest Road, Marlboro, New JERSEY.

Councilman Ginsberg moved to approve the minutes of August 25, 1983. This was seconded by Councilman Lerner and passed on a roll call vote of 2 -0 in favor. (Absent - Ginsberg, Stokes and Mollica)

The Council President then opened the Public Session portion of the meeting. There being no one who wished to speak, the Public Session was declared closed.

Councilman Lerner moved to adjourn the meeting. This was seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica) The meeting was adjourned at 8:40 P.M..

MINUTES APPROVED: October 13, 1983

OFFERED BY: Lerner  
SECONDED BY: Stokes

AYES: 5  
NAYS: 0  
ABSENT: 0

Evelyn Piccolini  
EVELYN PICCOLINI  
Township Clerk

James Hourihan  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

OCTOBER 13, 1983

The Marlboro Township Council held a regular meeting on Thursday, October 13, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to The Daily Register and The Ashbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Acting Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Citizen's Voice portion of the meeting was then opened. John Borden and Walter Holtz informed the Council that it was Fire Prevention Week. They also informed the Council that the Mayor had attended their meeting on the previous night and had committed a small area below the Court Room to them to be used for the Fire Prevention Bureau. They would like to come to the next Caucus Meeting and show the Council their plans for that particular Area. The Township Attorney also informed them that the work on the Fire Code would be ready by that Caucus Meeting. (October 20) There being no one else signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - Deputy Mayor Eli Belil read a proclamation from the Mayor to the Juvenile Diabetes Foundation proclaiming October as Diabetes Research Month in Marlboro Township. Mr. Belil also announced that there would be a Halloween curfew again this year. It would be from 9:00 P.M. to 6:00 A.M., October 29 to Nov. 1. There will be a notice sent around to all the schools informing the children of the curfew.

The Council President then opened the Public Hearing on Res. #172-83/Ord. #16-83 (Amend Zoning Ord.). There being no one who wished to speak the Public Hearing was declared closed. The following Res. #172-83/Ord. #16-83 was then introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #172-83

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

ORDINANCE #16-83

"AN ORDINANCE AMENDING AN ORDINANCE SUPPLEMENTING AND AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE LIMITING AND RESTRICTING TO SPECIFIED DISTRICTS OR ZONES AND REGULATING THEREIN BUILDING 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 VIOLATIONS 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 following Resolution #173-83/Ordinance #17-83 (Interlocal Services Agreement) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #173-83

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

ORDINANCE # 17-83

AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED NOVEMBER 30, 1981.

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 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #17-83

AN ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED NOVEMBER 30, 1981.

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Block Grant Program; and

WHEREAS, it is necessary to amend an existing Interlocal Services Agreement for the County and its people to benefit from this Program; and

WHEREAS, an Agreement has been proposed under which the Municipality of Marlboro and the County of Monmouth in cooperation with other municipalities will modify an Interlocal Services Act pursuant to N.J.S.A. 40:8A-1; and

WHEREAS, it is in the best interest of the Municipality of Marlboro to enter into such an agreement;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Township Council of the Township of Marlboro, that the Agreement entitled, "Agreement to Modify Interlocal Services Agreement Dated November 30, 1981 for the purpose of Inserting a Description of Activities for the Tenth Year Monmouth County Community Development Block Grant Program", a copy of which is on file in the Municipal Clerk's office, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

The following Resolution #174-83/Ordinance #18-83 (No Stopping/ Standing School Road East) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #174-83

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

ORDINANCE #18-83

AN ORDINANCE ESTABLISHING NO STOPPING OR STANDING REGULATIONS ON SCHOOL ROAD EAST 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 November 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #18-83

AN ORDINANCE ESTABLISHING NO STOPPING OR STANDING REGULATIONS ON SCHOOL ROAD EAST IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

Section 1. There shall be created a NO STOPPING OR STANDING zone on both sides of School Road East in the Township of Marlboro from the Route 79 intersestion easterly to the Dutch Lane inter-section.

Section 2. That upon adoption of the within Ordinance as provided by law, the appropriate signing shall be erected forthwith.

Section 3. All Ordinances and all provisions thereof inconsistent with the provisions of this Ordinance are hereby repealed,

Section 4. This Ordinance shall take effect upon passage and publication as approved by law.

The following Resolution #175-83/Ordinance #19-83 (No Passing Zones Various Streets) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #175-83

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

ORDINANCE #19-83

AN ORDINANCE ESTABLISHING NO PASSING ZONES ON VARIOUS STREETS AND ROADS WITHIN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH AND 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 November 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #19-83

AN ORDINANCE ESTABLISHING NO PASSING ZONES ON VARIOUS STREETS AND ROADS WITHIN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

BE IT ORDAINED BY THE Township Council of the Township of Marlboro, County of Monmouth and State of New Jersey as follows:

Section 1. That NO PASSING ZONES be established and maintained along the following roadways in the Township of Marlboro as authorized by the New Jersey Department of Transportation in accordance with the sketches as indicated:

a. Greenwood Road	UTSC Map #16-A
b. Texas Road	UTSC Map #17-A & #18-A
c. Spring Valley Road	UTSC Map #19-A
d. Wooleytown Road	UTSC Map #20-A
e. Pleasant Valley Road	UTSC Map #25-A & #26-A
f. Station Road	UTSC Map #27-A
g. Crine Road	UTSC Map #28-A
h. Harbor Road	UTSC Map #29-A
i. Union Hill Road	UTSC Map #32-A
j. Hawkins Road	UTSC Map #36-A
k. Ryan Road	UTSC Map #181-A
l. Wyncrest Road	UTSC Map #184-A
m. School Road West	UTSC Map #185-A
n. School Road East	UTSC Map #210-A

Section 2. All Ordinances and all provisions thereof inconsistent with the provisions of this Ordinance are hereby repealed.

Section 3. That this Ordinance shall take effect upon approval by the Commissioner of the Department of Transportation, passage and publication as provided by law.

The following Resolution #183-83/Ordinance # 20-83 (Bonding Roads, Curbs and Sidewalks- \$352,000.) was introduced by reference, offered by Councilwoman Mollica, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #183-83

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

ORDINANCE #20-83

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS, CURBS AND SIDEWALKS, APPROPRIATING \$370,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$352,000 BONDS AND NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FOR FINANCING SAID PURPOSE

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 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #20-83

ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS, CURBS AND SIDEWALKS, APPROPRIATING \$370,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$352,000 BONDS AND NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FOR FINANCING SAID PURPOSE.

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

Section 1. The improvement described in Section 3 of this Ordinance is hereby authorized to be made or acquired by The Township of Marlboro, in the County of Monmouth, New Jersey. For the said improvement or purpose, there is hereby appropriated the sum of \$370,000 said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$18,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a budget or budgets of the Township previously adopted for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$370,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township, each to be known as "Improvement Bond", are hereby authorized to be issued in the principal amount of \$352,000 pursuant to and within the limitations prescribed in the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$352,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said law.

Section 3. (a) The improvement and the purpose for the financing of which said obligations are to be issued is the improvement of a portion of various roads in the Township by repaving with a Class C pavement as defined in said Local Bond Law, and/or drainage, concrete curbing and sidewalks and other rehabilitation as necessary, including Church Road at Tennent, Church Road at Gordons Corner Road, Union Hill at Robertsville and Asher Holmes School, Union Hill Road at Bryant, Boundary Road, and Spring Valley Road.

(b) The estimated maximum amount of bonds and notes to be issued for said purpose is \$352,000.

(c) The estimated cost of said purpose is \$370,000 the excess thereof over the said estimated maximum amount of bonds and notes to be issued therefor being the amount of the said down payment for said purpose.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement.

(b) The period of usefulness of said purpose, within the limitations of section 40A:2-22 of said Local Bond Law and according to the reasonable life thereof is five years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Township Clerk and a complete executed original thereof has been filed in the office of the Director of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in section 40A:2-43 of said Law is increased by this ordinance by \$352,000, and the issuance of the said obligations authorized by this ordinance will be within all debt limitations prescribed by said Law.

(d) Not exceeding \$40,000 on account of interest, engineering and inspection costs, legal and accounting expenses and the cost of issuance of said obligations, as defined and authorized by section 40A:2-20 of said Law, is and shall be financed by the issuance of said obligations.

Section 5. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this ordinance. Said obligation shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 6. This ordinance shall take effect twenty days after the first publication thereof after final adoption, as provided in said Local Bond Law.

The following Resolution #184-83/Ordinance #21-83 (Bonding Marlin Estates Sewers - \$238,000) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a vote of 4 - 0 in favor. (Absent - Mollica) The Township Attorney has instructed Councilwoman Mollica not to vote on this because she is a resident of Marlin Estates and therefore affected by this Ord..

RESOLUTION #184-83

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

ORDINANCE #21-83

ORDINANCE APPROPRIATING \$250,000 FOR THE MARLIN ESTATES SEWERS, AND AUTHORIZING THE ISSUANCE OF \$238,000 BONDS AND NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FOR FINANCING SAID PURPOSE

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 10, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #21-83

ORDINANCE APPROPRIATING \$250,000 FOR THE MARLIN ESTATES SEWERS, AND AUTHORIZING THE ISSUANCE OF \$238,000 BONDS AND NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FOR FINANCING SAID PURPOSE.

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

Section 1. The improvement described in Section 3 of this ordinance is a purpose for which the Township of Marlboro, in the County of Monmouth, New Jersey, is authorized to make an appropriation. For the said improvement or purpose, there is hereby appropriated the sum of \$250,000 said sum being inclusive of all appropriations heretofore made therefor by the Township, exclusive of an expected federal grant of \$580,289 and \$181,731 to be provided for by the Western Monmouth Utilities Authority, and including the sum of \$12,000 as a down payment for said improvement or purpose required by law and now available therefore by virtue of provision in a budget or budgets in the Township previously adopted for down payment or for capital improvement purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$250,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township, each to be known as "Sewer Bond", are hereby authorized to be issued in the principal amount of \$238,000 pursuant to and within the limitations prescribed in the Local Bond Law of New Jersey. In anticipation of the issuance of said Bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding \$238,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Law.

Section 3. (a) The improvement and the purpose for the financing of which said obligations are to be issued is the construction of Marlin Estates Collection System sewers by the Western Monmouth Utilities Authority in the Township of Marlboro.

(b) The estimated maximum amount of bonds and notes to be issued by the Township for said purpose is \$238,000.

(c) The estimated cost of said purpose to the Township is \$250,000 the excess thereof over the said estimated maximum amount of bonds and notes to be issued therefor being the amount of the said down payment for said purpose.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this ordinance is not a current expense and is a property or improvement which the Township may lawfully make an appropriation as a general improvement.

(b) The period of usefulness of said purpose, within the limitations of section 40A:2-22 of said Local Bond Law and according to the reasonable life thereof is forty years.

(c) The supplemental debt statement required by said Law has been duly made and filed in the office of the Township Clerk and a complete executed original thereof has been filed in the office of the Director of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in section 40A:2-43 of said Law is increased by this ordinance by \$238,000 and the issuance of the said obligations authorized by this ordinance will be within all debt limitations prescribed by said Law.

(d) Not exceeding \$10,000 on account of interest, engineering and inspection costs, legal and accounting expenses and the cost of issuance of said obligations, as defined and authorized by section 40A:2-20 of said Law, is and shall be financed by the issuance of said obligations.

Section 5. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all taxable property within the Township for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 6. This ordinance shall take effect twenty days after the first publication thereof after final adoption as provided in said Local Bond Law.

\*Council President Hourihan at this time stated that he felt that the above bonding should be the onus of the Western Monmouth Utilities Authority and not of the Township.

The following Resolution #176-83 (Bond Registrar and Paying Agent - \$5,529,000) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 176-83

Mr. Lerner introduced and moved the adoption of the following resolution, and Mrs. Mollica seconded the motion:

RESOLUTION DETERMINING THE FORM OF THE \$5,529,000 GENERAL IMPROVEMENT BONDS OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AND AMENDING A RESOLUTION PROVIDING FOR THE SALE OF SAID BONDS.

THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, DO RESOLVE AS FOLLOWS:

Section 1. The form of said \$5,529,000 General Improvement Bonds shall be in substantially the following form:

NO. §

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF MONMOUTH  
TOWNSHIP OF MARLBORO  
GENERAL IMPROVEMENT BOND

SERIES       

INTEREST RATE: DATED: CUSIP:

THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, a municipal corporation of the State of New Jersey, hereby acknowledges itself indebted and for value received promises to pay to or registered assigns, upon presentation and surrender of this Bond, the principal sum of \_\_\_\_\_ dollars and to pay interest on such sum, from the date of this Bond, until it matures, at the rate of \_\_\_\_\_ per centum ( \_\_\_\_\_ %) per annum, payable semi-annually on the first days of April and October in each year by check or draft mailed to the Registered Owner hereof as of the preceding March 15 or September 15 (the "Record Dates" for the payment of interest) at the address as it appears on the registration books of the Township, kept for that purpose at Franklin State Bank which shall act as Bond Registrar and Paying Agent.

The final payment of the principal of this Bond shall be payable at the Principal Office of the Paying Agent or at such other place as the Paying Agent and the holder of this Bond may agree, upon surrender of the Bond for cancellation thereof.

THE TERMS AND PROVISIONS OF THIS BOND ARE CONTINUED ON THE REVERSE SIDE HEREOF AND SUCH CONTINUED TERMS AND PROVISIONS SHALL FOR ALL PURPOSES HAVE THE SAME EFFECT AS THOUGH FULLY SET FORTH AT THIS PLACE.

The full faith and credit of said Township are hereby irrevocably pledged for the punctual payment of the principal of and interest on this Bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or Statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this Bond, exist, have happened and have been performed, and that the issue of Bonds of which this is one does not exceed any limitation imposed thereon by said Constitution or Statutes.

IN WITNESS WHEREOF, THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and Township Treasurer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual or facsimile signature of the Township Clerk and authenticated by the manual signature of an officer of the Bond Registrar and this bond to be dated the first day of October, 1983. THIS BOND SHALL NOT BE VALID UNLESS IT IS AUTHENTICATED BY THE MANUAL SIGNATURE OF THE BOND REGISTRAR.

This bond is one of the duly authorized bonds of The Township of Marlboro, in the County of Monmouth, New Jersey, Series \_\_\_\_\_, dated October 1, 1983, issued in the aggregate principal amount of \$\_\_\_\_\_ (herein referred to as the "Bonds"), and is issued pursuant to the Local Bond Law of New Jersey, and by virtue of an Ordinance of the Township of Marlboro, in the County of Monmouth, adopted on November 11, 1982, and published as required by Law.

The Bond is transferable, only as to both principal and interest at any time on or before the Record Date preceding the maturity of this bond on the registration books of the Township kept by the Bond Registrar and Paying Agent, by the registered owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer reasonably satisfactory to the Trustee duly executed by the registered owner or such duly authorized attorney, and thereupon the Issuer shall issue in the name of the Transferee a new registered Bond or Bonds of the same aggregate principal amount, designation, maturity and interest rate as the surrendered Bond.

Principal and interest payments shall be made on behalf of the Township by check of the Bond Registrar and Paying Agent payable in lawful money of the United States of America.

The Bonds are issuable as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof, except \$1,000 as necessary.

Section 2. The resolution providing for the sale of \$5,532,000 General Improvement Bonds of the Township adopted on August 25, 1983 is amended to provide that the bonds will be in the denomination of \$5,000 or any integral multiple, except \$1,000 where necessary, shall be numbered as determined by the Transfer Agent, and shall be executed with the manual or facsimile signatures of the Mayor, Township Treasurer and Township Clerk and shall bear the facsimile of the Seal of the Township.

Section 3. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

Ayes: 5                      Noes: 0

The following Resolution #177-83 (Award of Bid for; 4 Snow Plows - Lynn Equipment) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #177-83

BE IT RESOLVED THAT:

1. LYNN EQUIPMENT

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

(4) Snow Plows

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 Acting Business Administrator be and the same is hereby awarded to

Lynn Equipment  
US Highway 202  
Three Bridges, N.J. 08887

on their low bid of \$4,173.00 Each.

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.

The following Resolution #178-83 (Redemption Tax Sale Certificate #81-8 - \$3,619.78) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #178-83

WHEREAS, the rightful owner of Block 27-A Lot 2 has redeemed Tax Sale Certificate #81-8 and

WHEREAS, the holder of said tax sale certificate, Allen Spencer, is entitled to the amount of the sale of respective certificate plus interest and costs in the amount of \$3,619.78,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$3,619.78 be refunded to the holder of said certificate as above.

The following Resolution #179-83 (Waiver of Fees for W.M.U.A. (Marlin Estates Project) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #179-83

BE IT RESOLVED by the Mayor and Township Council of the Township of Marlboro that all fees normally due to the Township from the various contractors in connection with the Western Monmouth Utilities Authority Project known as the Marlin Estates Sewer Project be and they are hereby waived; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to the Western Monmouth Utilities Authority, the Township Treasurer and to the Construction Code Officer of the Township of Marlboro.

The following Resolution #180-83 (Appointment of Director of Finance - Barry Weiss) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #180-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Mayor's appointment of Barry Weiss, CPA to the position of Director of Finance for the unexpired term ending December 31, 1983 or until a successor is duly appointed and qualified, be and it is hereby affirmed.

The following Resolution #181-83 (Release of Performance Bonds - Sections 1 - 7 - U.S. Home Corp.) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #181-83

WHEREAS, U.S. HOME CORP. has requested the release of certain Performance Bonds with respect to Section 1,2,3,4,5,6 and 7 of a development known as Whittier Oaks; and

WHEREAS, the Township Council of the Township of Marlboro has received a report dated October 5, 1983 from the Township Engineer, David Birnbaum, P.E. and;

WHEREAS, that report is attached hereto and made part hereof as though set forth in full; and

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

Section 1, The Performance Bond for Section 1 which now totals \$6,187.00 shall be reduced to \$450.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$861.00.

Section 2. The Performance Bond for Section 2 which now totals \$11,380.00 shall be reduced to \$1,100.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$1,542.00.

Section 3. The Performance Bond for Section 3 which now totals \$5,335.00 shall be reduced to \$1,563.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$566.00.

Section 4. The Performance Bond for Section 4 which now totals \$150.00 shall be reduced to \$0. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$22.00.

Section 5. The Performance Bond for Section 5 which now totals \$3,262.00 shall be reduced to \$1,337.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$289.00.

Section 6. The Performance Bond for Section 6 which now totals \$3,382.00 shall be reduced to \$1,007.00. That this release is subject to and contingent upon the posting of a 15% Maintenance Bond in the sum of \$366.00.

Section 7. The Performance Bond for Section 7 which now totals \$11,594.00 shall be reduced to \$0. That this release is subject to and contingent upon the posting of a 15% Maintenance Bond in the sum of \$1,739.00.

Section 8. That a certified copy of this Resolution shall be furnished to the Township Engineer and to U.S. Home Corp..

The following Resolution #182-83 (Letter of Intent - Midway Mobile Home Community) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 1 in favor. (Nay - Ginsberg) Councilman Ginsberg stated for the record that he had serious doubts about this resolution and therefore was voting Nay.

RESOLUTION #182-83

WHEREAS, the property which presently houses the Midway Mobile Home Community has been sold; and

WHEREAS, the residents of the Midway Mobile Home Community must relocate; and

WHEREAS, the Mayor and Township Council have determined that it is in the best interest of the Township of Marlboro to assist in the relocation of the residents of the Midway Mobile Home Community; and

WHEREAS, the attorney for the residents has provided the Mayor and Township Council with a possible means of assisting with the relocation through a Community Development Block Grant "Float" Loan Program; and



## MARLBORO TOWNSHIP COUNCIL MEETING

NOVEMBER 10, 1983

The Marlboro Township Council held a regular meeting on Thursday, November 10, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey . 776.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilwoman Mollica and Councilwoman Stokes. Councilman Lerner arrived at 8:05 P.M..

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. There being no one signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - There was none at this time.

The next item on the agenda was a hearing on a bid appeal for Swim Pool Manager. Surf Lifesaving was sent a letter informing them to appear at this time if they wished to appeal the rejection of their bid. There was no one present from Surf Lifesaving. Seeing that the Business Administrator was out of the room at this time, Council would wait for a report from her on this matter at a later time in the meeting.

At this time, the Council President asked that the Clerk send letters to the newly elected Councilpersons, requesting them to attend the next Caucus Meeting on December 8, 1983.

The Council President opened the Public Hearing on Resolution #186-83/ Ordinance #17-83 (Interlocal Services Agreement). There being no one from the Public who wished to speak, the Public Hearing was declared closed. The following Res. 186-83/Ord 17-83 was introduced by reference, offered by Councilwoman Stokes, seconded by Councilwoman Mollica and passed 4 - 0 in favor. RESOLUTION #186-83 Absent - Lerner,

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

ORDINANCE #17-83

ORDINANCE AUTHORIZING THE MAYOR AND MUNICIPAL CLERK TO EXECUTE AN AGREEMENT WITH MONMOUTH COUNTY TO MODIFY THE INTERLOCAL SERVICES AGREEMENT DATED NOVEMBER 30, 1981.

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

The Council President then opened the Public Hearing on Res. #187-83/ Ordinance #18-83 (No Stopping/standing School Road East). There being no one from the public who wished to speak, the Public Hearing was declared closed. The following Res. #187-83/Ord. #18-83 was introduced by reference, offered by Councilman Ginsberg, seconded by Councilwoman Stokes and passed on a roll call vote of 4 - 0 in favor. Absent - Lerner.

RESOLUTION #187-83

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

ORDINANCE #18-83

AN ORDINANCE ESTABLISHING NO STOPPING OR STANDING REGULATIONS ON SCHOOL ROAD EAST IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH, STATE OF NEW JERSEY.

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

The Council President then opened the Public Hearing on Res. #188-83/ Ordinance #19-83 (No Passing Zones Various Streets). There being no one who wished to speak, the Public Hearing was declared closed. The following Res. #188-83/Ord. #19-83 was then introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #188-83

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

ORDINANCE #19-83

AN ORDINANCE ESTABLISHING NO PASSING ZONES ON VARIOUS STREETS AND ROADS WITHIN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

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

The Council President then opened the Public Hearing on Res. #189-83/ Ordinance #20-83 (Bonding - Roads, Curbs and Sidewalks). There being no one from the public who wished to speak, the Public Hearing was declared closed. The following Res. #189-83/Ord. #20-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #189-83

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

ORDINANCE #20-83

AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF ROADS, CURBS AND SIDEWALKS, APPROPRIATING \$370,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$352,000 BONDS AND NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY FOR FINANCING SAID PURPOSE

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

The Council President then opened the Public Hearing on Res. #190-83/Ord. #21-83 (Marlin Estates Sewers). There being no one from the public who wished to speak, the Public Hearing was declared closed. At this time the Township Attorney announced that he has advised Councilwoman Mollica not to vote on this Ordinance since she is a resident of Marlin Estates and effected by the passage of this ordinance. The following Res. #190-83/Ordinance #21-83 was then introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 4 - 0 in favor. (Absent - Mollica)

RESOLUTION #190-83

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

ORDINANCE #21-83

AN ORDINANCE APPROPRIATING \$250,000 FOR THE MARLIN ESTATES SEWERS, AND AUTHORIZING THE ISSUANCE OF \$238,000 BONDS AND NOTES OF THE TOWNSHIP OF MARLBORO, IN THE COUNTY OF MONMOUTH, NEW JERSEY, FOR FINANCING SAID PURPOSE.

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

The following Resolution #191-83/Ordinance #22-83 (Stop Intersections - Marlboro Plaza) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #191-83

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

ORDINANCE #22-83

Ord. #22-83

AN ORDINANCE REGULATING PARKING AND CREATING CERTAIN  
STOP INTERSECTIONS IN THE MARLBORO PLAZA SHOPPING  
CENTER 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 15, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #22-83

AN ORDINANCE REGULATING PARKING AND CREATING CERTAIN  
STOP INTERSECTIONS IN THE MARLBORO PLAZA SHOPPING  
CENTER IN THE TOWNSHIP OF MARLBORO, COUNTY OF MONMOUTH,  
NEW JERSEY

WHEREAS, a written request has been filed with the Township of Marlboro pursuant to N.J.S.A. 39:5A-1 by Marlboro Township in regard to property known as Marlboro Plaza Shopping Center; and

WHEREAS, the governing body of the Township of Marlboro deems that it is advisable to apply the provisions of Subtitle I, Title 39 of the Revised Statutes to the semi-public or private roads and parking areas of the above described premises;

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

SECTION 1. WORDS AND PHRASES DEFINED. Whenever any words and phrases are used in this ordinance, the meaning respectively ascribed to them in Subtitle I of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words and phrases used herein.

SECTION 2. No person shall park a vehicle for a longer time than the time limit shown in any of the areas provided for parking within the Marlboro Plaza Shopping Center, except within the stalls provided for parking and within the painted lines marked on the pavement.

SECTION 3. The following streets shall be designated as STOP INTERSECTIONS. STOP signs shall be installed on the near right side of each street intersecting the stop intersection. (A) The intersection of Kenduck Drive and Road A is hereby designated as a STOP intersection. STOP sign shall be installed on Road A. (B) The intersection of Kenduck Drive and Road B is hereby designated as a STOP intersection. A STOP sign shall be installed on Road B. (C) The intersection of Kenduck Drive and Road C is hereby designated as a STOP intersection. A STOP sign shall be installed on Road C. (D) The intersection of Road B and Road A is hereby designated as a STOP intersection. A STOP sign shall be installed on Road A.

SECTION 4. In the event of a violation of this Ordinance the penalties provided by Subtitle I of Title 39 of the Revised Statutes of the State of New Jersey shall apply thereto.

SECTION 5. This Ordinance shall take effect immediately upon adoption and publication as required by law.

SECTION 6. Handicapped parking as shown in attached site plan.

The following Resolution #192-83/Ordinance #23-83 (No Parking - Tennent Road) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #192-83

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

ORDINANCE #23-83

AN ORDINANCE ESTABLISHING "NO PARKING" REGULATIONS ON TENNENT ROAD IN THE TOWNSHIP OF MARLBORO, STATE OF NEW JERSEY, COUNTY OF MONMOUTH

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 15, 1983 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #23-83

AN ORDINANCE ESTABLISHING "NO PARKING" REGULATIONS ON TENNENT ROAD IN THE TOWNSHIP OF MARLBORO, STATE OF NEW JERSEY, COUNTY OF MONMOUTH

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

SECTION 1. There shall be created a NO PARKING on both sides of Tennent Road in the Township of Marlboro from the Manalapan Township line in an easterly direction to Route 79.

SECTION 2. That upon adoption of the within Ordinance as provided by law and approved by the Department of Transportation, Bureau of Traffic Safety, the appropriate signing shall be erected forthwith.

SECTION 3. All Ordinances and all provisions thereof inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall take effect upon passage and publication as provided by law.

The following Resolution #193-83 (Appointment of Deputy Township Clerk) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #193-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that the appointment of Marcia Jicka for the position of Deputy Township Clerk is hereby confirmed for a term of three years.

The following Resolution #194-83 (Transfers) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor,

RESOLUTION #194-83

WHEREAS, certain appropriations in the 1983 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;

<u>FROM</u>	<u>AMOUNT</u>
Administrative & Executive S&W	\$ 8,000.00
Finance S&W Director's Office	875.00
Court S&W	1,000.00
Engineering S&W	5,000.00
Recreation S&W	5,000.00
Finance O/E	4,100.00
Statutory Expense: Police & Firemen's Retirement System	<u>14,000.00</u>
TOTAL	\$37,975.00
 <u>TO</u>	 <u>AMOUNT</u>
Planning Board-Contractual	\$ 375.00
Library O/E	5,000.00
Electricity	10,000.00
Telephone	1,500.00
Sewer	400.00
Heating Oil	2,000.00
Natural Gas	500.00
Diesel Fuel Oil	1,000.00
Public Bldgs. & Grds. S&W	2,000.00
Planning Board S&W	200.00
Grounds Maintenance	1,000.00
Insurance	1,000.00
Statutory Expense: Social Security System	<u>13,000.00</u>
TOTAL	\$37,975.00

EXCLUDED FROM 5% "CAP"

<u>FROM</u>	<u>AMOUNT</u>
Unemployment Compensation Insurance	\$988.38
<u>TO</u>	
Electrical Inspector S&W	788.38
Water	<u>200.00</u>
<u>TOTAL</u>	\$988.38

The following Resolution #195-83 (Cancellation of outdated check - \$700.00) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #195-83

WHEREAS, there has been issued and remain outstanding for an inordinate period of time a certain check which the Township Treasurer has requested be cancelled and returned to the Township Funds:

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

1. That the following check in payment for goods and services rendered to the Township of Marlboro is hereby ordered cancelled:

	<u>Check No.</u>	<u>Date</u>	<u>Amount</u>
Building Trust Fund	211	5/15/81	\$700.00

2. The Township Treasurer is authorized and directed to cancel the above mentioned disbursement of funds and to mark her records accordingly.

3. The Township Clerk is authorized to forward a certified copy of this Resolution to the Township Treasurer and Auditor forthwith.

The following Resolution #196-83 (Tax Refund - \$4,533.85) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #196-83

WHEREAS, the Monmouth Board of Taxation has granted judgments as per the attached Schedule "A" and

WHEREAS, owners of property listed on said Schedule "A" have paid their 1983 taxes,

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 \$4,533.85 as per Schedule "A".

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
25	15	Andrew J, & Deborah L. Wentz	\$ 251.85
52	30	Raymond Y. & Wanda Gong	3,887.46
71	19	Mary Rogowoy	280.28
74	14-Q	Anastasia Sakelis	114.26
TOTAL			\$4,533.85

The following Resolution #197-83 (Redemption Tax Sale Certificate - #82-11, 83-13) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #197-83

WHEREAS, the rightful owner of Block 52 Lot 20 has redeemed Tax Sale Certificates #82-13 and #83-11 and

WHEREAS, the holder of said tax sale certificates, Ralph Gallay, is entitled to the amount of the sale of respective certificates plus interest and costs in the amount of \$935.51.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$935.51 be refunded to the holder of said certificates as above.

The following Resolution #198-83 (Award of Bid for: LOCKERS - SWIM CLUB) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #198-83

BE IT RESOLVED THAT:

1. HURRICANE FENCE

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

LOCKERS - AT SWIM CLUB

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

HURRICANE FENCE

2005 Hwy. 35

Middletown, New Jersey 07748

on their low bid of: (SEE ATTACHED)

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.

The following Resolution #199-83 (Award of Bid - Swim Pool Manager) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. At this point the Business Administrator listed the steps that are required by bidders when they submit a bid. Since Surf Lifesaving did not fulfill all the requirements, their bid was disqualified. They did have a right to appeal and a letter stating this was sent to them. They were to be at this meeting tonight but they have failed to appear. The Township Attorney stated that since they did not fulfill the requirements for a bidder and since they did fail to appear to appeal the decision, they are disqualified and the award of bid goes to Pool Management Associates.

\* Please note letter from Pool Management Associates stating that his bid would not be altered in any way if the membership at the pool increases.

RESOLUTION #199-83

BE IT RESOLVED THAT:

1. Pool Management Associates

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

SWIM POOL MANAGER

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

POOL MANAGEMENT ASSOCIATES  
101 Pavilion Ave.  
Long Branch, New Jersey 07740

on their low bid of \$75,000.00

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.

The following Resolution #200-83 (Bond Reduction - Deep Run Estates) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #200-83

WHEREAS, Deep Run Estates has requested the release of certain Performance Bonds with respect to a development known as Deep Run Estates; and

WHEREAS, the Township Council has received the report dated October 25, 1983 from the Township Engineer, David Birnbaum, P.E.: and

WHEREAS, that report is attached hereto and made part hereof as though set forth in full;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the following bonds be reduced:

Section 1. The Performance Bond which now totals \$220,074.00 shall be reduced to \$68,789.00. That this release is subject to and contingent upon the posting of a two year 15% Maintenance Bond in the sum of \$19,521.00.

Section 2. That a certified copy of said Resolution shall be sent to the Township Engineer and Deep Run Estates.

Councilwoman Stokes moved that the minutes of October 13, 1983 be accepted. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

At this point the Mayor stated that there is a need for a Representative to the Marlboro State Hospital from Marlboro Township. Mr. Goldzweig, who had been previously named as a Representative, has since been rejected because his wife works at the hospital.

Councilman Lerner announced that the Monmouth Karate Academy was holding matches this Sunday at the high school for benefit of Cerebral Palsey. He also congratulated the Mayor on his re-election and commended Mr. Hourihan on his campaign and his public work.

Public Session - Mr. E. Boyce, Route 520 - wanted to know who was responsible for setting fees for sewer hook-up. He is being charged two fees. One for his home and one for his business. He was informed that the W.M.U.A. was responsible for this and the best thing for him to do is to attend a W.M.U.A. meeting and voice his protest. The Mayor told him that Dr. Mark Dudek is leading a fight against this and he may want to get in touch with him.

Barbara Vecchiarelli stated that she wished to thank the Council and the Administration for their work on the bonding for Marlin Estates. There being no one else who wished to speak, the Public Session was declared Closed.

Councilman Ginsberg moved to adjourn the meeting. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 8:35 P.M..

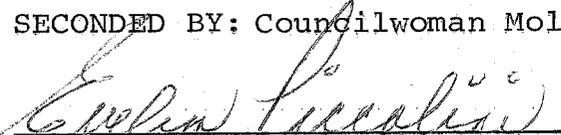
MINUTES APPROVED: December 15, 1983

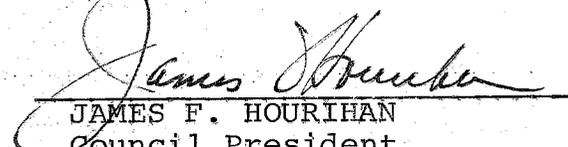
OFFERED BY: Councilman Lerner

AYES: 5

SECONDED BY: Councilwoman Mollica

NAYS: 0

  
EVELYN PICCOLINI  
Township Clerk

  
JAMES F. HOURIHAN  
Council President

## MARLBORO TOWNSHIP COUNCIL MEETING

DECEMBER 15, 1983

The Marlboro Township Council held a regular meeting on Thursday, December 15, 1983 at 8:00 P.M. in the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

After the salute to the flag, the Council President announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was sent to The Daily Register and The Asbury Park Press on December 13, 1982, posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk then called the roll.

PRESENT: Council President Hourihan, Councilman Ginsberg, Councilman Lerner, Councilwoman Mollica and Councilwoman Stokes.

Also present were: Mayor Saul Hornik, Deputy Mayor Eli Belil, Township Attorney Arthur Goldzweig, Acting Business Administrator Alayne Shepler, Township Clerk Evelyn Piccolini and Deputy Clerk Marcia Jicka.

The Council President then opened the Citizen's Voice portion of the meeting. Florence Eckel informed the Council that she had been denied a variance by the Zoning Board. She planned to appeal the decision and ordered transcripts of the hearings. She has been billed \$5,065 for the transcripts and she feels that this is very unfair. She can't afford to pay the bill for the transcripts. Councilman Lerner asked her if she was told anything about the fee structure in ordering the transcripts before she ordered them. She said that Mrs. Piccolini had sent her a letter. The Township Attorney informed her that the only way she could get the Council to hear her appeal is to have the transcripts. This is a State Statute. Council can not legally hear the appeal without the transcripts. The Mayor stated that maybe there is a possibility of re-applying to the Zoning Board after the first of the year. Mr. Goldzweig suggested that she meet with the Mayor and the Zoning Board Attorney some time after the first of the year. The Council took a voice vote on her right of appeal to be suspended until the matter is resolved. The vote was 4 -0 in favor of suspending her right of appeal. Councilwoman Stokes voted absent.

David Gross - stated the fact that the Planning Board has approved an 8 story hotel as part of the Heritage Park complex. He felt that the Planning Board should not approve any buildings that infringe on the rights of the Citizens of Marlboro. He appealed to the Council to overturn the Planning Board decision. He was informed that he would have to go through the appeal decision process. He could get the Ordinance that pertains to this procedure through the Clerk's Office.

There being no one else signed up to speak, the Citizen's Voice was declared closed.

Administrative Report - The Mayor informed the public as to the latest happenings at Marlboro State Hospital. Marlboro Township now has a lawsuit against the State asking for a restraining order. There is a meeting scheduled at the hospital tomorrow. This has been arranged by the State Legislators. The State is trying to appeal the restraining order. None of the points that the Township brought up a year ago have been implemented by the Hospital. Hopefully some will be implemented after this meeting tomorrow.

The Mayor then awarded plaques to the girls traveling Soccer Team. They had won the State Championship Cup.

The Mayor then presented plaques to Council President Hourihan and Councilman Ginsberg, citing their devotion and service to the Township during their terms of office.

Councilman Lerner also presented plaques to Council President Hourihan and Councilman Ginsberg at this time.

Councilman Lerner then moved to accept the minutes of the Special Meetings of May 5, 1983 and August 9, 1983 and of the Regular Meeting of Nov. 10, 1983. This was seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

Council President Hourihan then opened the Public Hearing on Res. #201-83/ Ordinance #22-83 (Regulating Parking and Certain Stop Intersections at Marlboro Plaza Shopping Center). There being no one who wished to speak, the Public Hearing was declared closed. Councilman Ginsberg then offered the following Res. #201-83/Ordinance #22-83. This was seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #201-83

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

ORDINANCE #22-83

AN ORDINANCE REGULATING PARKING AND CREATING CERTAIN STOP INTERSECTIONS IN THE MARLBORO PLAZA SHOPPING CENTER 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.

The Council President then opened the Public Hearing on Resolution #202-83/ Ordinance #23-83 (No Parking Tennent Road). There being no one from the public who wished to speak, the Public Hearing was declared closed. The following Resolution #202-83/Ordinance #23-83 was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #202-83

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

ORDINANCE #23-83

AN ORDINANCE ESTABLISHING "NO PARKING" REGULATIONS 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.

The following Resolution #203-83/Ordinance #24-83 (Fire Prevention Code and Fees) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #203-83

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

ORDINANCE #24-83

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO BY DELETING AND REPEALING CHAPTER 66 THEREOF, FIRE PREVENTION AND REPLACING IT WITH A NEW CHAPTER 66 TO BE ENTITLED "FIRE PREVENTION", WHICH CHAPTER PROVIDES FOR THE ADOPTION OF THE BOCA BASIC FIRE PREVENTION CODE, THE CREATION OF THE BUREAU OF FIRE PREVENTION, THE ADOPTION OF FIRE CONTROL MEASURES AND REGULATIONS AND THE SETTING FORTH OF FEES FOR PERMITS ISSUED BY THE FIRE PREVENTION BUREAU."

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 12, 1984 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey at which time all persons interested will be given an opportunity to be heard concerning said Ordinance.

ORDINANCE #24-83

"AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MARLBORO BY DELETING AND REPEALING CHAPTER 66 THEREOF, FIRE PREVENTION AND REPLACING IT WITH A NEW CHAPTER 66 TO BE ENTITLED "FIRE PREVENTION", WHICH CHAPTER PROVIDES FOR THE ADOPTION OF THE BOCA BASIC FIRE PREVENTION CODE, THE CREATION OF THE BUREAU OF FIRE PREVENTION, THE ADOPTION OF FIRE CONTROL MEASURES AND REGULATIONS AND THE SETTING FORTH OF FEES FOR PERMITS ISSUED BY THE FIRE PREVENTION BUREAU."

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

The Code of the Township of Marlboro is hereby amended by deleting and repealing Chapter 66, Fire Prevention.

The Code of the Township of Marlboro is hereby amended by adding thereto a new Chapter, to replace Chapter 66 herein above repealed, to be Chapter 66, Fire Prevention, to read as follows:

## ARTICLE I

### ADOPTION OF BOCA BASIC FIRE PREVENTION CODE

Section 66-1. Adoption of the BOCA Fire Prevention Code by reference.

There is hereby adopted by the Township of Marlboro for the purposes of basic fire prevention regulations for the protection of the public health, safety and welfare, the Basic Fire Prevention Code/1981, Fifth Edition, published by the Building Officials and Code Administrators International, Inc. of which Code not less than three copies have been and are now filed with the Township Clerk, and the same is hereby adopted and made part of this Article as fully as if set out at length herein.

Section 66-2. Modifications and Changes.

In every case where any modifications to or change in the BOCA Fire Prevention Code/1981, Fourth Edition, is made, any such modification or change will take precedence over any other provision which is inconsistent therewith and any such provision shall be considered to be conformed to it. The changes and modifications contemplated herein include but are not limited to the complete revision of the BOCA Basic Fire Prevention Code every three years.

Section 66-3. Enforcement

The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention, which is hereby established and which shall be operated under the direction and supervision of the Chief Fire Inspector.

Section 66-4. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

CHIEF OF BUREAU OF FIRE PREVENTION - The Chief Fire Inspector.

CORPORATION COUNSEL - The Attorney for the Township of Marlboro or an attorney designated by the Township Attorney.

MUNICIPALITY - The Township of Marlboro.

Section 66-5. Bureau of Fire Prevention; composition.

The Bureau of Fire Prevention shall consist of a Chief Fire Inspector, three (3) District Fire Marshals, Deputy Fire Inspector, four (4) District Fire Inspectors and Fire Sub-Code Official.

Section 66-6. Promulgation of rules and regulations.

The Fire Chief Inspector, after consultation with Fire Prevention Bureau, shall promulgate rules and regulations governing the operation of the Bureau of Fire Prevention. The Bureau of Fire Prevention shall have no authority over the local volunteer fire companies or the District Board of Fire Commissioners.

Section 66-7. Officers and employees.

A. Chief Fire Inspector.

(1) There is hereby created the office of Chief Fire Inspector. The Chief Fire Inspector shall be appointed by the Mayor with the advice and consent of the Township Council for a term of five (5) years. The Chief Fire Inspector shall have a minimum of ten (10) years of experience in the field of fire prevention technology. The appointee shall have a background in the building trades sufficient for the purposes of reading and interpreting architectural drawings as they relate to fire prevention.

(2) The Chief Fire Inspector shall pass an evaluation and be recommended by the Board of Fire Chiefs, which said Board shall be established by the New Jersey State Fire Chiefs Association; provided, however, that none of the Fire Chiefs serving thereon shall be a member of any volunteer fire company in the Township of Marlboro.

B. Deputy Fire Inspector.

(1) There is hereby created the office of Deputy Fire Inspector. The Deputy Fire Inspector shall be appointed by the Mayor with the advice and consent of the Township Council for a term of one (1) year. The Deputy Fire Inspector shall be a member of one of the local fire companies for not less than five (5) years prior to appointment, and shall have been a resident of the Township of Marlboro for not less than seven (7) years prior to appointment.

C. District Fire Marshal.

(1) There is hereby created the office of District Fire Marshal, in each fire district. The District Fire Marshal from each fire district shall be appointed by the Board of Fire Commissioners for the term of one (1) year. The District Fire Marshal shall have been a member of the volunteer fire company for his district for not less than five (5) years prior to appointment and a resident of the fire district for not less than seven (7) years prior to appointment.

(2) The District Fire Marshal shall have knowledge of fire-fighting and prevention equipment within his district and a working relationship with the volunteer fire company and the Board of Fire Commissioners within his district. The District Fire Marshal shall have no authority over the volunteer fire company within his district.

D. District Fire Inspectors.

(1) There is hereby created the office of District Fire Inspectors, who shall be appointed by the Board of Fire Commissioners for a term of one (1) year. The Board of Fire Commissioners shall appoint such District Fire Inspectors so that each volunteer fire company shall have one (1) representative within the Bureau of Fire Prevention.

(2) The District Fire Inspectors shall be a member of the volunteer fire company within his district for not less than three (3) years prior to appointment and shall be a resident of the Township of Marlboro for not less than five (5) years prior to appointment.

E. Fire Sub-Code Official - New Construction Only.

State licensed Fire Sub-Code official as defined in the Uniform Construction Code.

F. Fire Inspectors.

As required on a Township wide basis.

Section 66-8. Amendments and modifications.

A. The Bureau of Fire Prevention shall have the power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured and substantial justice done. The particulars of such modification, when granted or allowed, shall be entered upon the records of the Bureau and a signed copy shall be furnished to the applicant.

B. The Chief Fire Inspector shall determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in said code. The Chief Fire Inspector shall post such list in a conspicuous place.

Section 66-9. Enforcement of violations.

A. All members of the Bureau as created herein shall have enforcement authority under Article 66.

B. Any person, firm or corporation who violates or fails to comply with any of the provisions of this Article or any resolution, rule or regulation adopted pursuant thereto, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder or any certificate or permit issued thereunder, or who shall fail to comply with such an order as affirmed or modified by a court of competent jurisdiction within the time fixed herein, shall severally for each and every violation and noncompliance, respectively, be punishable by a fine of not more than five hundred dollars (\$500.) or imprisonment of not more than ninety (90) days, or both.

C. The applications of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 66-10. Fees.

Fees for all permits issued by the Fire Prevention Bureau shall be as follows:

Theatres (stage & scenery, movie)	\$25.00
Night Clubs Bars & similar uses	25.00
Lecture Halls, Recreation Centers, Terminals, Restaurants	
Up to 3,000 Sq. ft.	10.00
Over 3,000 Sq. ft.	25.00
Private Schools	25.00
Businesses	
Up to 3,000 sq. ft.	10.00
Over 3,000 sq. ft.	25.00
Multi-story	25.00 per floor
Factory & Industrial	
Up to 15,000 sq. ft.	10.00 per bldg.
Over 15,000 sq. ft.	25.00 per bldg.
High Hazard Use	25.00 per bldg.
Institutions, Incapacitated	25.00 per bldg.
Mercantile Building	
Up to 3,000 sq ft.	10.00
Over 3,000 sq. ft.	25.00
Hotels, Motels	
1st floor	25.00
Each other floor	10.00
Moderate & Low Storage	
Up to 10,000 sq. ft.	10.00
Over 10,000 sq. ft.	25.00
Miscellaneous (Airports, Trailer Parks, Boarding Homes, etc.)	
Up to 10,000 sq. ft.	10.00
Over 10,000 sq. ft.	25.00

Public Schools, Houses of Worship, Libraries, and Non-profit Organizations (Fire, First Aid, Town Hall, Little League, etc.) are required to be inspected, but fees are to be waived.

## ARTICLE II

### FIRE CONTROL MEASURES AND REGULATIONS

#### Section 66-20. Adoption of measures and regulations.

There is hereby adopted by the Township Council of the Township of Marlboro the fire control measures and regulations as herein set forth for the purposes of controlling conditions which could impede or interfere with fire suppression forces.

#### Section 66-21. Authority at fires and other emergencies.

The fire official or his duly authorized representatives as may be in charge at the scene of a fire or other emergency involving the protection of life and/or property is empowered to direct such operations as may be necessary to extinguish or control any suspected or reported fires, gas leaks or other hazardous conditions or situations or of taking any other action necessary in the reasonable performance of his duty. The fire official may prohibit any person, vehicle or object from approaching the scene and may remove or cause to be removed from the scene any person, vehicle or object which may impede or interfere with the operations of the Fire Department.

The fire official may remove or cause to be removed any person, vehicle or object from hazardous areas. All persons ordered to leave a hazardous area shall do so immediately and shall not reenter the area until authorized to do so by the fire official.

Section 66-22. Interference with Fire Department operations.

It shall be unlawful to interfere with, attempt to interfere with, conspire to interfere with, obstruct or restrict the mobility of, or block the path of travel of, any Fire Department emergency vehicle in any way, or to interfere with, attempt to interfere with, obstruct or hamper any Fire Department operation.

Section 66-23. Compliance with orders.

A person shall not willfully fail or refuse to comply with any lawful order or direction of the fire official or to interfere with the compliance attempts of another individual.

Section 66-24. Vehicles crossing fire hose.

A vehicle shall not be driven or propelled over any unprotected fire hose of the Fire Department when laid down on any street, alleyway, private drive or any other vehicular roadway without the consent of the fire official in command of said operation.

Section 66-25. Emergency vehicles.

Authorized emergency vehicles shall be restricted to those which are defined and authorized under the laws of the State of New Jersey.

Section 66-26. Boarding or tampering with emergency equipment.

A person shall not, without proper authorization from the fire official in charge of said Fire Department emergency equipment, cling to, attach himself to, climb upon or into, board or swing upon any Fire Department emergency vehicle, whether the same is in motion or at rest, or sound the siren, horn, bell or other sound-producing device thereon, or to manipulate or tamper with, or attempt to manipulate or tamper with, any levers, valves, switches, starting devices, brakes, pumps or any equipment or protective clothing on, or a part of, any Fire Department Emergency vehicle.

Section 66-27. Damage and injury to equipment and personnel.

It shall be unlawful for any person to damage or deface or attempt or conspire to damage or deface any Fire Department emergency vehicle at any time or to injure, or attempt to injure or conspire to injure, Fire Department personnel while performing departmental duties.

Section 66-28. Blocking fire hydrants and connections.

A. It shall be unlawful to obscure from view, damage, deface, obstruct or restrict the access to any fire hydrant or any Fire Department connection for the pressurization of fire suppression systems, including fire hydrants and Fire Department connections that are located on public or private streets and access lanes or on private property.

B. If, upon the expiration of the time mentioned in a notice of violation, obstructions or encroachments are not removed, the fire official shall proceed to remove the same. The cost incurred in the performance of necessary work shall be paid from the municipal treasury upon certificate of the fire official and with the approval of the chief administrative official; and the legal authority of the municipality shall institute appropriate action for the recovery of such costs.

Section 66-29. Hydrant use approval.

A person shall not use or operate any fire hydrant intended for use of the Fire Department for fire suppression purposes unless such person first secures a permit for such use from the fire official and the water company having jurisdiction. This section shall not apply to the use of such hydrants by a person employed by, and authorized to make such use by, the water company having jurisdiction.

Section 66-30. Public Water Supply.

The fire official shall recommend to the chief administrative official of the municipality the location or relocation of new or existing fire hydrants and the placement or replacement of inadequate water mains located upon public property and deemed necessary to provide an adequate fire flow and distribution pattern. A fire hydrant shall not be placed into or removed from service until approved by the fire official.

Section 66-31. Yard systems.

All new and existing shipyards, oil storage plants, lumberyards, amusement or exhibition parks and educational or institutional complexes and similar occupancies and uses involving high fire or life hazards and which are located more than one hundred fifty (150) feet from a public street or which require quantities of water beyond the capabilities of the public water distribution system shall be provided with properly placed fire hydrants. Such fire hydrants shall be capable of supplying fire flows as required by the fire official and shall be connected to a water system in accordance with accepted engineering practices. The fire official shall designate and approve the number and location of fire hydrants. The fire official may require the installation of a sufficient firehouse and equipment housed in accordance with the approved rules and may require the establishment of a trained fire brigade when the hazard involved requires such measures. Private hydrants shall not be placed into or removed from service until approved by the fire official.

Section 66-32. Maintenance of fire suppression equipment.

A person shall not obstruct, remove, tamper with or otherwise disturb any fire hydrant or fire appliance required to be installed or maintained under the provisions of the Fire Prevention Code, except for the purpose of extinguishing fire, training or testing purposes, recharging, or making necessary repairs, or when permitted by the fire official. Whenever a fire appliance is removed as herein permitted it shall be replaced or reinstalled as soon as the purpose for which it was removed has been accomplished. Defective and nonapproved fire appliances or equipment shall be replaced or repaired as directed by the fire official.

Section 66-33. Sale of defective fire extinguishers.

A person shall not sell, trade, loan or give away any form, type or kind of fire extinguisher which is not approved by the fire official or which is not in proper working order or the contents of which do not meet the requirements of the fire official. The requirements of this section shall not apply to the sale, trade or exchange of obsolete or damaged equipment for junk, and said units are permanently disfigured or marked with a permanent sign identifying the unit as junk.

Section 66-34. Street obstructions.

A person or persons shall not erect, construct, place or maintain any bumps, fences, gates, chains, bars, pipes, wood or metal horses or any other type of obstruction in or on any street within the boundaries of the municipality. The word "street" as used in this Article shall mean any roadway accessible to the public for vehicular traffic, including but not limited to private streets or access lanes, as well as all public streets and highways within the boundaries of the municipality.

Section 66-35. Severability.

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

This Ordinance shall be effective immediately upon passage and publication as required by law.

The following Resolution #204-83 (Transfer parcel of land to Marlboro Board of Fire Commissioners of Dist.#1 and Marlboro First Aid Squad) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5-0 in favor.

RESOLUTION #204-83

WHEREAS, by Resolution #108-83 the Mayor and Township Council adopted a Resolution declaring the intent of the Township of Marlboro to transfer a part of a certain parcel of property located on Wyncrest Road and known as Block 59, Lot 15 to the Marlboro Township Board of Fire Commissioners of District #1 and to the Marlboro First Aid Squad; and

WHEREAS, N.J.S.A. 48:12-21 provides for a method of transferring such property to a Board of Fire Commissioners or to a First Aid Squad;

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

1. That the Mayor and Township Clerk be and they are hereby authorized and directed to execute deeds to (a) Marlboro Township Board of Fire Commissioners, Fire District #1 and (b) Marlboro First Aid Squad.

2. That said deeds shall contain descriptions in accordance with the metes and bounds descriptions attached hereto, being a portion of Block 59, Lot 15.

3. That the conveyance is made in accordance with and is subject to all of the limitations contained in N.J.S.A. 48:12-21.

4. That said conveyance shall be made without consideration from either of the two parties.

5. That each conveyance shall be subject to the following:

(a) That such lands or buildings constructed upon said lands shall be used only by the Marlboro Township Board of Fire Commissioners, Fire District #1 for purposes lawfully allowed by a Board of Fire Commissioners and by the Marlboro First Aid Squad for purposes lawfully allowed as a First Aid Squad. Said buildings or lands shall not be used for commercial, business, trade or manufacture and that if said lands or buildings are not used in accordance with the limitations contained in this deed, then title shall revert to the Township of Marlboro without any entry or reentry made thereon on behalf of the Township of Marlboro.

(b) In the event that either grantee has not commenced construction on the site within three years of the date of this deed, then in that event the land of the grantee failing to comply with this provision shall revert back to the Township of Marlboro.

(c) The Township reserves the right to use the property for any municipal purpose including farming, either directly or indirectly until such time as construction commences.

(d) Neither grantee shall be permitted to sell or assign the property.

6. That certified copies of this Resolution shall be furnished to the Marlboro Township Board of Fire Commissioners, Fire Dist. #1 and to the Marlboro First Aid Squad.

The following Resolution #205-83 (Change Order #7 - Consolidated Equipment) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #205-83

WHEREAS, in connection with the following named Contract an unforeseen problem has been encountered: Development of Marlboro Municipal Park; 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; and

WHEREAS, the Township Council has reviewed the recommendation and determined that the change is necessary and should be accomplished as described; and

WHEREAS, there is a reduction in contract price, the Township Council has been advised by the Chief Financial Officer that no appropriations are necessary 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 contract for said work shall be reduced by the sum of \$3,756.40.

3. That all of the terms and conditions of the original contract between the Township of Marlboro and Consolidated Equipment Leasing Co. shall remain in full force and effect. That upon acceptance by Consolidated Equipment Leasing 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 Consolidated Equipment Leasing Co. with instructions to execute same and return to the Township Attorney's Office forthwith.

The following Resolution #206-83 (Miscellaneous Trust Revenue Balances) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #206-83

WHEREAS, there remain miscellaneous trust revenue balances for an inordinate period of time; and

WHEREAS, the Township Treasurer has requested that they be cancelled and returned to Township Funds:

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the following are hereby cancelled:

- |                                       |          |
|---------------------------------------|----------|
| 1. Other Trust Fund                   |          |
| Guarantees for Sidewalk Installations | \$768.11 |
| Recreation Commission                 | 60.64    |
| Marlboro Day                          | 3.38     |
| 2. Dog License Trust Fund             |          |
| Unallocated Receipts                  | 14.00    |
| Overpaid license                      | 2.00     |

The following Resolution #207-83 (Transfer - \$36,136.00) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #207-83

WHEREAS, certain appropriations in the 1983 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:

<u>FROM</u>	<u>AMOUNT</u>
Administrative & Executive S&W	\$ 800.00
Finance S&W Directors Office	200.00
Court S&W	200.00
Engineering S&W	1,000.00
Economic Development S&W	458.34
Fire Marshall S&W	1,250.00
Road Maintenance S&W	15,300.00
Environmental Protection S&W	500.00
Youth Activities S&W	2,000.00
Finance Annual Audit O/E	200.00
Board of Ethics O/E	100.00
Community & Gov't Commuter Affairs	300.00
Road Repairs & Maintenance O/E	5,000.00
Sanitation O/E	2,000.00
Drug Abuse Control O/E	300.00
Environmental Protection O/E	500.00
Statutory Expenditures P.E.R.S.	6,027.66
TOTAL	<u>\$36,136.00</u>

<u>TO</u>	<u>AMOUNT</u>
Public Bldgs. & Grounds S&W	\$ 800.00
Equipment Maintenance S&W	8,336.00
Tax Collector S&W	300.00
Zoning Board O/E Contractual	1,200.00
Insurance Premiums	23,000.00
Electric	2,500.00
TOTAL	<u>\$36,136.00</u>

The following Resolution #208-83 (Bingo License - St. Gabriel's Church) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #208-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that Bingo License Number BL 002-84 is hereby granted to ST. GABRIEL'S CHURCH holding Identification Number 217 1 08532. Said games are to be held on Sundays beginning January 8, 1984 to December 30, 1984 (Except Easter Sunday, April 22, 1984) from 7:30 P.M. to 10:30 P.M..

The following Resolution #209-83 (Bingo License St. Gabriel's Church Rosary Altar Society) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #209-83

BE IT RESOLVED by the Township Council of the Township of Marlboro that a Bingo License is hereby granted to ST. GABRIEL 'S CHURCH ROSARY-ALTAR SOCIETY for games to be held each Monday, starting on January 2, 1984 to December 31, 1984 from 12 noon to 2 P.M., The Identification Number 290 3 18676 is attached to License Number BL 001-84.

The following Resolution #210-83 (Redemption Tax Sale Cert. #83-2) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #210-83

WHEREAS, the rightful owner of Block 10 Lot 15 has redeemed Tax Sale Certificate #83-2 and

WHEREAS, this redemption was for payment of sewer charges in the amount of \$371.49, The Western Monmouth Utilities Authority is entitled to reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$371.49 be refunded to The Western Monmouth Utilities Authority.

The following RESolution #211-83 (Redemption Tax Sale Cert. #83-1) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #211-83

WHEREAS, the rightful owner of Block 1 Lot 15 has redeemed Tax Sale Certificate #83-1 and

WHEREAS, this redemption was for payment of sewer charges in the amount of \$2,295.36, The Western Monmouth Utilities Authority is entitled to reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$2,295.36 be refunded to The Western Monmouth Utilities Authority.

The following Resolution #212-83 (Redemption Tax Sale Cert. #83-6) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #212-83

WHEREAS, the rightful owner of Block 26M Lot 8 has redeemed Tax Sale Certificate #83-6 and

WHEREAS, this redemption was for payment of sewer charges in the amount of \$440.07, The Western Monmouth Utilities Authority is entitled to reimbursement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$440.07 be refunded to The Western Monmouth Utilities Authority.

The following Resolution #213-83 (Refund of Taxes Blk.70, Lot 23 Blk. 70A Lot 13B) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #213-83

WHEREAS, the Monmouth County Board of Taxation has granted judgments as per the attached Schedule "A" and

WHEREAS, owners of property listed on said Schedule "A" have paid their 1983 taxes.

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 \$1,665.93 as per Schedule "A".

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
70	23	Soden Realty Company	\$1,485.15
70A	13B	Soden Realty Company	180.78
TOTAL			\$1,665.93

The following Resolution #214-83 (Refund Zoning Board of Adjustment Fees - Krayton) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #214-83

WHEREAS, Chester and Joan Krayton have paid a fee to the Zoning Board of Adjustment of the Township of Marlboro; and

WHEREAS, the Zoning Board of Adjustment took no action and expended no funds on account of the application; and

WHEREAS, the Zoning Board of Adjustment's attorney, John O. Bennett, III, has recommended that the fee be returned to the applicant;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the fee previously paid to the Zoning Board of Adjustment by Chester and Joan Krayton be returned to Chester and Joan Krayton; and

BE IT FURTHER RESOLVED that the Mayor, Finance Director and municipal officials be and they are hereby authorized and directed to take all steps necessary to return the fee.

The following Resolution #215-83 (Authorize BA advertise for sale of abandoned or found property) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #215-83

WHEREAS, the Township of Marlboro was in possession of certain unclaimed property; and

WHEREAS, the Business Administrator has recommended that the subject property be sold by the Township of Marlboro;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED by the Township Council of the Township of Marlboro that the Business Administrator be and she is hereby authorized and directed to advertise pursuant to New Jersey Statutes for the sale of certain abandoned or found property.

The following Resolution #216-83 (Improving Security at State Hospital) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #216-83

WHEREAS, there have been a great number of escapes, walkaways and enloperments from the Marlboro Psychiatric Hospital into our community; and

WHEREAS, on occasion patients who are either dangerous to themselves or dangerous to the community have left the hospital grounds without consent; and

WHEREAS, on several occasions homes have been broken into in our community; and

WHEREAS, on other occasions there have been threats to life and members of our community have been assaulted; and

WHEREAS, for many, many years various officials of the Township of Marlboro have sought to have security at the Marlboro Psychiatric Hospital improved; and

WHEREAS, The Department of Human Services has made many promises to the Township of Marlboro which have not been filled; and

WHEREAS, recent events have once again highlighted the security problems or the lack thereof at the Marlboro Psychiatric Hospital; and

WHEREAS, the Mayor has directed the Township Attorney, Arthur Goldzweig, to take various legal actions in an attempt to help improve security conditions at the hospital;

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

1. That the Mayor's actions with regard to the Marlboro Psychiatric Hospital are fully supported and endorsed by the Township Council.

2. That the Governor and the Commissioner of Human Services be and they are hereby requested to take immediate and drastic steps to help resolve the security problem at the Marlboro Psychiatric Hospital.

3. That the Monmouth County Legislative Delegation be and they are hereby requested to help the Township of Marlboro by introducing appropriate legislation which will reduce the security problems at the Marlboro Psychiatric Hospital.

4. That certified copies of this Resolution be furnished to the Governor, the Commissioner of Human Services, George J. Albanese, the Acting Chief Executive Officer of the Marlboro Psychiatric Hospital, Robert M. Tilley and the Monmouth County Legislative Delegation.

The following Resolution #217-83 (Bond Reduction Marlboro Meadows Sections 1 and 2) was introduced by reference, offered by Councilman Ginsberg, seconded by Councilman Lerner and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #217-83

WHEREAS, Marlboro Meadows has requested the release of certain Performance Bonds with respect to Sections 1 and 2 of a development known as Marlboro Mews; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated December 6, 1983 prepared by the Township Engineer, David Birnbaum, P.E.; and

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

1. Section 1 - The Performance Bond which now totals \$379,880.50 shall be reduced to \$214,678.00. Upon the release of this Bond, there shall be posted with the Township a two year 15% Maintenance Bond in the sum of \$24,780.00.

2. Section 2 - The Performance Bond which now totals \$369,051.00 shall be reduced to \$214,496.00. Upon the release of this Bond, there shall be posted with the Township a two year 15% Maintenance Bond in the sum of \$23,183.00.

3. A certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to Marlboro Meadows.

The following Resolution #218-83 (Bond Reduction Country Estates Section 3, Map Section 4) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Mollica and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #218-83

WHEREAS, Country Estates has requested the release of certain Performance Bonds with respect to Bond Section 3, Map Section 4 of a development known as Country Estates; and

WHEREAS, the Township Council of the Township of Marlboro has received and reviewed a report dated December 5, 1983 prepared by the Township Engineer, David Birnbaum, P.E.;

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

1. Section 1 - The Performance Bond which now totals \$341,153.00 shall be reduced to \$332,921.00. Upon the release of this Bond, there shall be posted with the Township a two year 15% Maintenance Bond in the sum of \$1,235.00.

2. A certified copy of this Resolution shall be furnished by the Township Clerk to the Township Engineer and to Country Estates.

The following Resolution #219-83 (Award of bid for: Janitorial Services - Controlled Cost Maintenance) was introduced by reference, offered by Councilman Lerner, seconded by Councilman Ginsberg and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #219-83

BE IT RESOLVED THAT:

1. CONTROLLED COST MAINTENANCE

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

JANITORIAL SERVICES IN MUNICIPAL BUILDING

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

CONTROLLED COST MAINTENANCE  
P.O. Box 195  
Hasbrouck Heights, New Jersey

on their low bid of \$17,940.00 per year.

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.

The following Resolution #220-83 (Award of Bid for: Swim Club Food Concession - H & S Schwartz) was introduced by reference, offered by Councilman Lerner, seconded by Councilwoman Stokes and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION #220-83

BE IT RESOLVED THAT:

- 1. H & S SCHWARTZ

be and they are determined to be the lowest bidder covering the following work, labor and/or materials:

SWIM CLUB FOOD CONCESSION

- 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

H & S Schwartz  
36 Ottawa Road South  
Morganville, New Jersey 07751

on their high bid of

\$18,810.00

- 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.

The Council President then opened the Public Session portion of the meeting. There being no one who wished to speak, the Public Session was declared closed.

Councilman Ginsberg moved to adjourn the meeting. This was seconded by Council President Hourihan and passed on a roll call vote of 5 - 0 in favor. The meeting was adjourned at 9:00 P.M..

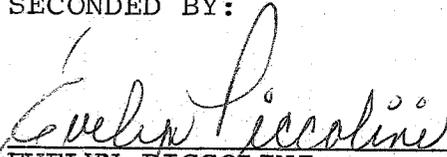
Minutes Approved:

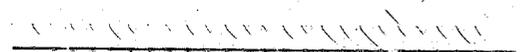
OFFERED BY:

AYES:

SECONDED BY:

NAYS:

  
\_\_\_\_\_  
EVELYN PICCOLINI  
Township Clerk

  
\_\_\_\_\_  
JAMES F. HOURIHAN  
Council President