

MATTERS TO COME BEFORE THE TOWNSHIP COUNCIL OF
THE TOWNSHIP OF TOMS RIVER AT A REGULAR MEETING
OF SAID COUNCIL TO BE HELD:
September 8, 2009

1. Meeting called to order.

2. Flag Salute

3. Open Public Meeting Statement

4. ROLL CALL:

DONOHUE _____ MARUCA _____

HILL _____ SEVASTAKIS _____

KUBIEL _____ WITTMANN _____

McGUCKIN _____

5. Minutes: August 25, 2009 (regular meeting) August 31, 2009
(special meeting)

6. Honoring resolutions and presentations:

- a. Moser's Miles 5K Breast Cancer Walk
- b. Good Neighbor Day
- c. Ronald Weingroff of TR Fire Co. No. 1: 9/11 Ceremony
- d. St. Barbara Greek Orthodox Church Festival
- e. 2009 Women's Advocate of the Year Ceremony

7. ORDINANCE amending and supplementing Section 147-1 of Chapter 147 (Salaries and Compensation) of the Code of the Township of Toms River, Ocean County, New Jersey to adjust salaries for the time period of July 1, 2007 to June 30, 2011 (Sergeants, Lieutenants, And Captains). FINAL

8. ORDINANCE amending and supplementing Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River, Ocean County, New Jersey (Stop Intersection- Girard Road and Audubon Drive) (Stop sign to be installed on Girard Road). FINAL

9. ORDINANCE repealing Chapter 396 (Precious Metals and Gems) and enacting new Chapter 415 (Secondhand Dealer) to establish rules, regulations and penalties for any person, partnership, Limited Liability Company, Corporation, or other entity engaging in the sale of used goods and equipment in the Township of Toms River, Ocean County, New Jersey. FINAL

10. ORDINANCE amending and supplementing subsections "I" and "J" of Section 104-14 (Employee Health Benefits) of Chapter 104 (Employee Regulations and Benefits) of the Code of the Township of Toms River, Ocean County, New Jersey to add a requirement that an employee be age 55 years or more to be eligible for paid health benefits upon retirement. FINAL

11. ORDINANCE amending and supplementing the Code of the Township of Toms River Ch. 477 (Vehicles and Traffic) to No Parking Certain Hours, Monday to Friday, 5:00pm to 9:00pm, Saturday and Sunday 8:00am to 9:00pm, March 1st to November 1st on South Street from League Road to Senaroth Court. FIRST

12. ORDINANCE amending and supplementing Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River, New Jersey (no stopping or standing- Cedarhurst Drive) FIRST

13. ORDINANCE prohibiting consumption or possession of an alcoholic beverage by an underage person on private property in the Township of Toms River, Ocean County, New Jersey. FIRST

14. RESOLUTION authorizing the sale of a plenary retail consumption license, permitting the sale of alcoholic beverages in the Township of Toms River, Ocean County, New Jersey.

15. RESOLUTION of the Township of Toms River disagreeing with, and urging the New Jersey Legislature to enact legislation overturning the August 24, 2009 Appellate Division decision in Homes of Hope, Inc. v. Eastampton Township Land Use Planning Board, which impermissibly expands municipalities' affordable housing obligations beyond their statutorily mandated fair shares.

"All matters listed under item "Consent Agenda" will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired on any item, that item will be considered separately."

A. RESOLUTION authorizing refund on overpayment of taxes, correcting resolution dated August 11, 2009 refunding taxes, and approving the cancellation of taxes, various properties.
(3)

B. RESOLUTION of the Township of Toms River, Ocean County, New Jersey, concurring with the recommendation of the State of New Jersey Department of Transportation, Bureau of Traffic Engineering and Investigations to revise the center line pavement markings along New Jersey Route 166 to a no passing zone in the vicinity of Union Street and Seward Avenue.

C. RESOLUTION ratifying and affirming a memorandum of agreement with the Dover Township Unified Professionals Association, and authorizing the Mayor and Business Administrator to execute a formal agreement with the Toms River Professionals Association and the Toms River Township Board of Fire Commissioners District No. 1 and District No. 2.

D. RESOLUTION authorizing acceptance of maintenance bond for final close-out of Windsor Park Water Services, Phase II Project and authorizing final payment to contractor, RJR Engineering Co., Inc., in the amount of \$5,880.70.

E. RESOLUTION reducing performance bond estimate for Minor Site Plan, Christian Pools, Block 1501.13, Lot 8 (Fischer Blvd.).

F. RESOLUTION authorizing the Division of Purchasing to solicit for and receive written quotations for the supply of dog food and cat food for the Animal Shelter and the Police Canine unit.

G. RESOLUTION authorizing the Division of Purchasing to solicit for and receive written quotations for five (5) Stalker radar units for the Department of Police.

H. RESOLUTION authorizing the award of contract for the supply of "OEM" auto parts and accessories (excluding repairs) to Downs Ford, Inc., D/B/A Downs Ford Lincoln Mercury, in the amount of \$30,000.00 over two (2) years.

I. RESOLUTION authorizing the execution of amended agreements with the County of Ocean, for electric current and battery backup system to be provided to operate traffic signals at various locations in the Township of Toms River.

J. RESOLUTION amending resolution of approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the reconstruction of East Whitty Road.

K. RESOLUTION amending resolution of approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Safe Streets to Transit funds to aid in the installation of sidewalks along Highland Parkway and to provide a continuous sidewalk to the bus station south of Water Street.

L. RESOLUTION authorizing acceptance of performance guarantees for Minor Site Plan, Community Surgical Supply, Block 472, Lot 1 (Industrial Way North).

M. RESOLUTION authorizing the acceptance of performance guarantees for Major Site Plan, Capital One Bank, Block 605, Lots 434-451, 469, 478-488.

N. RESOLUTION authorizing federal medical leaves of absence for Charles Bodo, Department of Municipal Alliance.

O. RESOLUTION requesting Mayor and Township Administrator to execute an application for funding for the Municipal Alliance grant for the calendar year 2010 (2009-2011) in the amount of \$48,000.00 with the township match of \$12,000.00 (contingent upon adoption of 2010 budget).

P. RESOLUTION authorizing payment to Dover Brick First Aid for Ocean Beach Senior Citizens Club, to use for one year commencing 3/1/09 and expiring 2/28/10. (\$500.00)

Q. RESOLUTION authorizing raffle event scheduled for Sunday, February 7, 2010 to St. Joseph Council Knights of Columbus.

Reports:

1. In-Season Beach Badge Weekly report- week #9- \$27,365.00
2. In-Season Pool Badge Weekly report- week #10- \$11,215.00
3. In-Season Beach Badge Weekly report- week #10- \$31,310.00
4. In-Season Beach Badge Weekly report- week #11-\$14,550.00
5. In-Season Pool Badge Weekly report- week #11- \$4,136.00
6. Office of the Clerk: August 2009: \$1,913.75
7. Youth Center- August 2009- \$2,279.50
8. Bey Lea Golf Course- August 2009- \$212,882.72

APPROVAL OF BILLS
ELECTED OFFICIAL'S COMMENTS
PUBLIC COMMENT
EXECUTIVE SESSION