

April 12, 2016

A Regular Meeting of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at 6:01 PM.

The meeting was called to order by Council President Kubiel and opened with the salute to the Flag.

Council President Kubiel read the following statement pursuant meeting notice to the Open Public Meetings Act:

**OPEN PUBLIC MEETINGS ACT STATEMENT**

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on January 8, 2016 and forwarded to the Toms River Times, Toms River Patch, and WOBN News on January 11, 2016, and thereafter posting same on the Town Hall Bulletin Board for such notices, and filing same with the Township Clerk pursuant to a resolution adopted by the Township Council on January 4, 2016. Notice was also posted on the Township Web Page.

Roll Call:

Council Member Carr	- Present
Council Member Geoghegan	- Present
Council Member Hill	- Absent
Council Member Maruca	- Present
Council Member Wittmann	- Absent
Council Vice-President Manforti	- Present
Council President Kubiel	- Present

A motion was made by Council Member Maruca, seconded by Council Member Manforti, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and with Council Members Hill and Wittmann absent, to approve an excused absence for Council Member Hill for personal reasons.

A motion was made by Council Member Carr, seconded by Council Member Maruca, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and with Council Members Hill and Wittmann absent, to approve an excused absence for Council Member Wittmann for personal reasons.

**APPROVAL OF MINUTES**

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Manforti, Maruca, and Council President Kubiel voting yes, and with Council Member Geoghegan abstaining as he was not on Council yet, and with Council Members Hill and Wittmann absent, to approve the Minutes of the **Special Meeting of February 3, 2016**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

A motion was made by Council Member Maruca, seconded by Council Member Manforti, and carried with Council Members Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and Council Member Carr abstaining as he was absent on March 22, 2016, and with Council Members Hill and Wittmann absent, to approve the Minutes of the **Regular Meeting of March 22, 2016**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

## HONORING RESOLUTIONS AND PRESENTATIONS

A motion was made by Council Member Manforti, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and with Council Members Hill and Wittmann absent, to make the following honoring proclamations a part of the Minutes.

Mayor Kelaher introduced Toms River Schools, Director of School Musicals, teachers, cast and crew members, and each received certificates of appreciation.

Mayor Kelaher presented Proclamation to Eagle Scout Paul Douglas Leifert, and he explained his project.

# Township of Toms River Proclamation

April 12, 2016

## *Eagle Scout Court of Honor*

**WHEREAS, *Paul Douglas Leifert*** is currently a member of Boy Scout Troop 36 in Toms River; and

**WHEREAS, *Paul Douglas Leifert*** has progressed through the ranks of Boy Scouts and achieved the highest rank of Eagle Scout; and

**WHEREAS,** to achieve the rank of Eagle Scout, a scout must have a minimum tenure of twenty-one months, have earned at least seven skill awards, logged at least eighteen hours of community service, served at least sixteen months as a troop leader in three of eleven leadership positions and have amassed at least twenty-one merit badges; and

**WHEREAS,** to receive the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved, all paperwork is sent to the National Headquarters in Texas for approval prior to the scouts 18<sup>th</sup> birthday.

**WHEREAS, *Paul Douglas Leifert*** successfully completed all the requirements to receive the highest rank of Eagle Scout and is being honored for his achievement at the April 12, 2016 Toms River Township Council meeting.

**NOW, THEREFORE, I, THOMAS F. KELAHER,** Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate **PAUL DOUGLAS LEIFERT** on his achievement of becoming an Eagle Scout, and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and effort for the good of his community.

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**Mayor Thomas F. Kelaher**

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**Brian S. Kubiel**

**Council President**

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**Jeffrey J. Carr**

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**Maurice B. Hill**

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**Kevin M. Geoghegan**

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**Alfonso J. Manforti**

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**Maria L. Maruca**

\_\_\_\_\_  
**George E. Wittmann**

A Proclamation was presented to Zarita Mattow of the Ocean County Library for National Library Week.

# **Township of Toms River**

## **Proclamation**

April 12, 2016

**WHEREAS**, libraries provide a variety of learning and educational tools, workshops and classes in a multitude of learning possibilities whether for enjoyment, work-related projects or just fulfilling a lifetime dream for people of all ages; and

**WHEREAS**, libraries level the playing field for all who seek information and access to technologies; and their staff are trained, tech-savvy professionals, providing technology training and access to downloadable contents like e-books; and

**WHEREAS**, libraries and library staff open up a world of possibilities through innovative STEAM programming, Maker spaces, job-seeking resources and the power of reading; and

**WHEREAS**, libraries support democracy and affect social change through their commitment to provide equitable access to information for all library users regardless of race, ethnicity, creed, ability, sexual orientation, gender identify or socio-economic status; and

**WHEREAS**, libraries and library workers and supporters across America are celebrating National Library Week.

**NOW, THEREFORE**, We, Mayor Thomas F. Kelaher and Council President Brian S. Kubiel of the Township of Toms River, the County of Ocean and State of New Jersey, with the full concurrence of the Township Council, hereby proclaim *National Library Week April 11-15, 2016* and we encourage all residents to visit the Ocean County Library this week to take advantage of the wonderful library resources available at your library.

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**Mayor Thomas F. Kelaher**

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**Brian S. Kubiel**  
**Council President**

\_\_\_\_\_  
**Jeffrey J. Carr**

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**Maurice B. Hill**

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**Kevin M. Geoghegan**

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**Alfonso J. Manforti**

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**Maria L. Maruca**

\_\_\_\_\_  
**George E. Wittmann**

Mayor Kelaher spoke regarding Autism Awareness Month. No one was present to accept the Proclamation.

# **Township of Toms River**

## **Proclamation**

April 12, 2016

**WHEREAS, *Autism*** is a serious developmental disorder that greatly impacts a sufferer's nervous system making communication and behavior difficult; and

**WHEREAS,** there is no known cure for autism but this socially debilitating disease can be significantly helped with early and intensive treatment; and

**WHEREAS,** individuals with autism, require lifetime services and support from their community so that the family unit can better handle the psychological and financial burden caused by the disorder.

**NOW, THEREFORE,** We, Mayor Thomas F. Kelaher and Council President Brian S. Kubiel of the Township of Toms River in the County of Ocean and State of New Jersey, with the full concurrence of the Township Council, proclaim the month of April as ***Autism Awareness Month*** and encourage all residents to become educated about the disorder securing a better life experience for those diagnosed with autism.

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**Mayor Thomas F. Kelaher**

\_\_\_\_\_  
**Brian S. Kubiel**  
**Council President**

\_\_\_\_\_  
**Jeffrey J. Carr**

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**Maurice B. Hill**

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**Kevin M. Geoghegan**

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**Alfonso J. Manforti**

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**Maria L. Maruca**

\_\_\_\_\_  
**George E. Wittmann**

Mayor Kelaher spoke regarding a motor vehicle accident on New Hampshire Avenue, and how Mr. William Copes saved a young baby. Council President Kubiell presented Mr. Copes a township Proclamation. Chief Little spoke regarding the accident and presented Mr. William Copes a plaque. The father of the baby rescued, David Eisdorfer, was present and thanked Mr. Copes. Mr. William Copes spoke and thanked everyone.

# Township of Toms River

## Proclamation

April 12, 2016

**WHEREAS**, a “Good Samaritan” selflessly helps others especially strangers oftentimes putting their own life in danger; and

**WHEREAS**, on March 9, 2016 William Copes was driving on New Hampshire Avenue – observed a vehicle plunging into a retention basin and fearlessly ran to the aid of the occupants in the vehicle; and

**WHEREAS**, while trying to assess the driver, an infant cried out and William Copes observed an infant strapped into an upside down infant seat; and

**WHEREAS**, without hesitation, William Copes cut the binding seatbelt, removed the baby from danger and carried the baby to safety to an arriving Silverton ambulance.

**NOW, THEREFORE**, We, Mayor Thomas F. Kelaher and Council President Brian S. Kubiell of the Township of Toms River in the County of Ocean and State of New Jersey, with the full concurrence of the Township Council, are awestruck by the fearless actions of William Copes and wish to proclaim his daring act of courage as a great example of what a “Good Samaritan” is and extend to him a great thank you on behalf of the entire Toms River community.

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**Mayor Thomas F. Kelaher**

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**Brian S. Kubiell  
Council President**

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**Jeffrey J. Carr**

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**Maurice B. Hill**

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**Kevin M. Geoghegan**

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**Alfonso J. Manforti**

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**Maria L. Maruca**

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**George E. Wittmann**

A recess was held.

The Council reconvened with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel all present, and with Council Members Hill and Wittmann absent.

Council Member Maruca introduced the following Ordinance of which the title only was read in full:

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, SUPPLEMENTING SECTION 477-61 (SCHEDULE III: NO STOPPING OR STANDING) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE TO ESTABLISH NO STOPPING OR STANDING RESTRICTIONS ON CEDAR DRIVE FROM CRANMOOR DRIVE TO THE EASTERLY TERMINUS OF CEDAR DRIVE**

**BE IT ORDAINED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. Section 477-61 (Schedule III: No Stopping or Standing) of Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River, New Jersey is supplemented to add the following:

NAME OF STREET:	Cedar Drive
SIDES:	Both
HOURS:	Dusk to 8:00 a.m.
LOCATION:	From the easterly curbline of Cranmoor Drive to the easterly terminus of Cedar Drive

2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 477 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

3. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

4. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law, and posting of appropriate signs.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and with Council Members Hill and Wittmann absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 12, 2016 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on April 26, 2016 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said

Municipal Building to members of the general public who shall request such copies.

J. MARK MUTTER  
TOWNSHIP CLERK

APPROVED AS TO FORM:

KENNETH B. FITZSIMMONS  
TOWNSHIP ATTORNEY  
MUNICIPAL BUILDING  
33 WASHINGTON STREET  
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, April 15, 2016.

Ordinance was adopted on first reading with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and Council Members Hill and Wittmann absent.

**J. Mark Mutter, Township Clerk, announced that the Supplemental Debt has been filed with the State Division of Local Government Services.**

Council Member Manforti introduced the following Ordinance of which the title only was read in full:

AN ORDINANCE OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF PROPERTY LOCATED IN THE TOWNSHIP AND RELATED EXPENSES AND APPROPRIATING \$10,300,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$9,785,000 IN BONDS OR NOTES OF THE TOWNSHIP OF TOMS RIVER TO FINANCE THE SAME.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Toms River, in the County of Ocean, New Jersey (the "Township") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the sum of \$10,300,000 and including the sum of \$515,000 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$9,785,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds and notes are to be issued is the acquisition of real property in the Township for open space purposes, by purchase and/or eminent domain, designated on the Township tax map as (i) Block 171, Lots 11, 17, 18, 19 and 32, also known as 1940 Lakewood Road, (ii) Block 171, Lot 20, also known as 1956 Lakewood Road, (iii) Block 171, Lot 21, also known as 1962 Lakewood Road, (iv) Block 171, Lot 22, also known as 1970 Lakewood Road, and (v) Block 171, Lot 23, also known as 1980 Lakewood Road, and including all rights or interests therein, and all work and services necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

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

(b) The period of usefulness of the improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$9,785,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$300,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition and/or construction of the improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. The Township hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**NOTICE OF PENDING BOND ORDINANCE**

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing bond ordinance was duly introduced and passed upon first reading at a regular meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 12, 2016. Further notice is hereby given that said bond ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Township Council to be held in the Municipal Offices, 33 Washington Street, Toms River, New Jersey on April 26, 2016 at 6:00 p.m., and during the week prior to and up to and including the date of such meeting, copies of said bond ordinance will be made available at the Township Clerk's office in the Municipal Offices to the members of the general public who shall request the same.

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J. Mark Mutter, Township Clerk

A motion was made by Council Member Manforti, seconded by Council Member Geoghegan, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubieli voting yes, and with Council Members Hill and Wittmann absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 12, 2016 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on April 26, 2016 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

J. MARK MUTTER  
TOWNSHIP CLERK

APPROVED AS TO FORM:

KENNETH B. FITZSIMMONS  
TOWNSHIP ATTORNEY  
MUNICIPAL BUILDING  
33 WASHINGTON STREET  
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, April 15, 2016.

Ordinance was adopted on first reading with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiak voting yes, and Council Members Hill and Wittmann absent.

Council Member Manforti introduced the following Ordinance of which the title only was read in full:

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ACQUISITION, EITHER BY  
PURCHASE OR EMINENT DOMAIN, OF THE REAL PROPERTY KNOWN AS LOTS 11, 17,  
18, 19, 20, 21, 22, 23 and 32, BLOCK 171 ON THE OFFICIAL TAX MAP OF THE  
TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY**

**WHEREAS**, the Mayor and Township Council of the Township of Toms River wish to acquire real property known as Lots 11, 17, 18, 19 and 32, Block 171, owned by Guttman Family, LLC; Lots 20 and 22; Block 171, owned by Leon J. and Beatrice Huppert; Lot 21, Block 171 owned by Sabeledi Associates; and Lot 23, Block 171, owned by Boynton Transport Corporation as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey ("Property"); and

**WHEREAS**, the Mayor and Council of the Township of Township of Toms River, Ocean County, New Jersey have on various occasions expressed interest in acquiring the Property; and

**WHEREAS**, the Mayor and Township Council believe that the acquisition of the Property would be in the best interests of the Township of Toms River because it would promote open space and provide passive and active public recreation areas; and

**WHEREAS**, the Township and Property owners have or will engage in bona fide negotiations; and

**BE IT ORDAINED** by the Township Council of the Township of Toms River in the County of Ocean, State of New Jersey, as follows:

1. The Council determines that it is in the best interests of the Township of Toms River to acquire a fee interest in the Property known as Lots, 11, 17, 18, 19, 20, 21, 22, 23 and 32, Block 171 on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey.

2. The purpose of this Ordinance is to promote the Township's Master Plan goal of providing adequate open space for present and future use, and to develop passive and active recreational use. The Township of Toms River is empowered by N.J.S.A. 40A:12-5, et seq. to acquire lands or rights therein by purchase, gift or by eminent domain. If the Mayor is able to negotiate a voluntary purchase from the Property owners, the Mayor, Administrator and Special Counsel are authorized to execute any and all documents necessary to complete the purchase. The Mayor is authorized to continue bona fide negotiations with the Property owners, and if the Mayor and Property owners are unable to negotiate the acquisition through a voluntary process, then the Mayor is authorized pursuant to N.J.S.A. 40A:12-5, et seq. to acquire the Property by eminent domain and in accordance with the Eminent Domain Act, N.J.S.A. 20:3-1, et seq. If the use of eminent domain is required, the Mayor, Administrator and Special Counsel are authorized and directed to undertake any and all necessary actions, and execute any and all documents necessary or appropriate to commence and prosecute eminent domain proceedings.

3. The Township has or will offer to the Property owner's amounts not less than the full amount of the Township's highest appraisal. If necessary, the Mayor is authorized to expend funds for any other necessary expert analysis, engineering or other professional service as may be required to acquire the Property.

4. Should any section, paragraph, sentence or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance

shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared severable.

5. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

6. Since this ordinance is not legislative in nature, it need not be codified.

A motion was made by Council Member Manforti, seconded by Council Member Geoghegan, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

#### NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 12, 2016 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on April 26, 2016 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

J. MARK MUTTER  
TOWNSHIP CLERK

APPROVED AS TO FORM:

KENNETH B. FITZSIMMONS  
TOWNSHIP ATTORNEY  
MUNICIPAL BUILDING  
33 WASHINGTON STREET  
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, April 15, 2016.

Ordinance was adopted on first reading with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and Council Members Hill and Wittmann absent.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent, to approve the following **Temporary Capital Budget**.

**“SEE ATTACHMENTS”**

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent, to approve the following Resolution:

**RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY  
APPROPRIATIONS**

**April 12, 2016**

WHEREAS, the Township Council of the Township of Toms River passed a 2016 Temporary Budget Resolution on January 4, 2016; and,

WHEREAS, N.J.S.A. 40A:4-20 authorizes the Township Council by resolution adopted by a two-thirds vote of the full membership thereof to make emergency temporary appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, that the attached list of 2016 emergency temporary appropriations are hereby approved.

BE IT FURTHER RESOLVED that certified copies of this Resolution be provided by the Office of the Township Clerk to each of the following:

- a) Director, Division of Local Government Services
- b) Administrator
- c) Township Attorney
- d) Township Auditor
- e) Chief Financial Officer
- f) Affected Department Heads

Approved as to Content:

<b>Description</b>	<b>4/12/2016 Temp Bdgt</b>
ADMIN SALARY & WAGES	155,000.00
Public Defender O/E	35,000.00
Prosecutor - Other Expense	50,000.00
ADMINISTRATION O/E	6,000.00
PURCHASINGSALARY & WAGES	57,106.25
PURCHASING O/E	20,000.00
VETERANS COMMISSION	410.00
Off. Of MAYOR SALARIES & WAGES	67,000.00
OFFICE OF THE MAYOR O/E	26,000.00
COUNCIL OFF. SALARIES & WAGES	54,807.50
OFFICE OF THE COUNCIL-O/E	7,000.00
IT SALARY & WAGES	124,000.00
IT DEPT O/E	350,000.00
EMG MGMT SALARY & WAGES	72,525.00
EMERGENCY MGMT O/E	7,000.00
MASS TRANSPORTATION	5,000.00
Shared Services-Berkeley Twp (Construction)	15,600.00
Const. & Insp Svcs Salaries and Wages	1,006,840.00
RELOCATION ASST. OTHER	4,887.50
Construction & Inspection Svcs O/E	200,000.00
Code Enforcement Salaries and Wages	145,202.50
Code Enforcement O/E	1,000.00
HSG/PROP MAINT SALARY & WAGES	0.26
HSG/PROP MAINTENANCE O/E	2,200.00
DEMOL SALARY & WAGES	200.00
DEMOLITION OF BLDS O/E	6,000.00
PAYMENT OF BOND PRINCIPAL	7,900,000.00
INTEREST ON BONDS	1,500,000.00
INTEREST ON NOTES	600,000.00
Payment of BANs and Cap Notes	2,625.00
Director of Finance Salaries and Wages	312,633.13
Annual Audit	65,000.00
DIR OF FINANCE O/E	60,000.00
DIV OF REV COLL SALARY & WAGES	214,256.25
DIV OF REVENUE COLLECT-O/E	95,000.00

EMP GROUP INSURANCE	9,000,000.00
OTHER INSURANCE	1,700,000.00
WORKERS COMPENSATION INSURANCE	2,300,000.00
HEALTH BENEFIT WAIVER	420,000.00
UNEMPLOYMENT INSURANCE	50,000.00
USE OF SURPLUS-LFB-EMPLOYEE GROUP	
Health Benefit Waiver	420,000.00
FIRST AID SQUADS	55,000.00
CONDO SERVICES ACT	600,000.00
SOLID WASTE COLL-APARTMENT CMP	275,000.00
CONTINGENT FUND	5,000.00
CULTURAL AFFAIRS O/E	10,500.00
BEACHFRONT SALARY & WAGES	174,375.00
BEACHFRONT O/E	48,000.00
PRKS/PLYGRDS SALARY & WAGES	115,000.00
PARKS & PLAYGROUNDS O/E	21,000.00
RECREATION SALARIES & WAGES	133,266.25
RECREATION O/E	6,500.00
PERSONNEL SALARIES & WAGES	134,511.88
PERSONNEL O/E	10,000.00
MUNICIPAL ALLIANCE SALARIES AND WAGES	4,675.00
MUN ALLIANCE GRT-MATCH	
HEALTH DEPT SALARY & WAGES	2,700.00
HEALTH DEPT O/E	300,000.00
YOUTH ADVS SALARY & WAGES	95,871.25
YOUTH ADVISORY O/E	8,000.00
SENIOR CENTER GRANTS	
SENIOR CENTER S & W	76,160.00
SEN CTR MTH - SALARIES	218,586.00
OCN CTY SEN CTR-CAREGIVERS	58,940.00
SEN CTR MTH - FRINGE	100,077.00
SEN CTR MTH - OTHER EXPENSE	67,100.00
SEN CTR-PARTICIPANT O/E	3,000.00
SEN CTR-Transportation	
OC SNR CTR CAREGIVER O/E	58,747.00
OC SNR CTR CAREGIVER PARTCPTN	800.00
MUN CLERK SALARIES & WAGES	278,160.13
MUNICIPAL CLERK O/E	28,000.00
ELECTIONS SALARIES AND WAGES	9,000.00
ELECTIONS O/E	9,000.00
REGISTRAR SALARIES AND WAGES	66,971.07
REGISTRAR O/E	4,500.00
RENT LVL BD SALARIES AND WAGES	4,756.25
RENT LEVELING BD O/E	4,000.00
Labor Counsel	5,000.00
LEGAL SERVICES O/E	190,000.00
LAW DEPT SALARIES AND WAGES	250,000.00
LAW DEPARTMENT O/E	18,000.00
ENGINEERING-SALARIES AND WAGES	266,312.50
TAX MAP PRINTING AND MAINTENANCE	2,000.00
ENGINEERING O/E	15,000.00
NJDEP Emergency Sand for Dune Recl	726,121.60
Storm Water Management O/E	
<b>47,000.00</b>	
Storm Water Mgmt Salaries and Wages	71,187.50
Storm Water Management O/E	
PLANNING BOARD SALARIES	<b>47,000.00</b>
	36,500.00
PLANNING BOARD O/E	32,000.00
BOA SALARIES & WAGES	49,575.00
BOARD OF ADJUSTMENT O/E	16,000.00
DIV ECONOMIC DVLPMNT SALARIES	74,000.00
DIV ECONOMIC DEVELOPMENT O/E	3,500.00
LAND USE REG SALARIES	92,750.00
LAND USE REGULATION O/E	3,000.00
MUN CT - SALARY & WAGES	381,405.00
MUNICIPAL COURT O/E	26,000.00
CSO-SALARIES & WAGES	647,341.25
CSO-O/E	130,000.00

Shared Svcs-Lavallette-Spillman	5,000.00
Shared Svcs-Fire Commissioners-Spillman	30,000.00
POLICE SALARY & WAGES	10,525,025.00
POLICE DEPT O/E	315,000.00
ENV HLTH SVCS SALARIES	421,551.38
ENVIRONMENTAL HLTH SVCS O/E	150,000.00
PUBLIC LANDS SALARIES AND WAGES	278,366.13
PUBLIC LANDS O/E	19,000.00
CAPITAL	
CAPITAL IMPROVEMENT	600,000.00
PURCHASE POLICE CARS	250,000.00
FAIR SHARE HOUSING	10,000.00
LANDFILL REMEDIATION	90,000.00
CAPITAL PRJ-COMPUTER EQUIP	60,000.00
DCRP	30,000.00
SOCIAL SECURITY SYST	2,000,000.00
PERS SYSTEM	2,505,903.00
POLICE/FIRE PENSION	4,311,535.00
DEFERRED CHG TO FUTURE TAX UNFUNDED	448,334.00
SNOW EMERGENCY	1,200,000.00
EMERGENCY AUTH PRIOR YR BUD	525,000.00
RES FOR TAX APPEALS	
FOR FUTURE GRANTS	
TAX ASSESSOR SALARIES AND WAGES	272,549.09
TAX ASSESSOR O/E	28,000.00
UTILITY/MISC.OTHER	0.00
TELEPHONE	130,000.00
ELECTRIC	400,000.00
NATURAL GAS	85,000.00
HEATING OIL	13,000.00
SEWER	20,000.00
WATER	24,000.00
STREET LIGHTING	700,000.00
TIPPING FEES/GARBAGE	900,000.00
TIP FEES/PAINT/STUMP	40,000.00
LNDFIL-PL 1981,C2781	35,000.00
RECYCLING TAX	80,000.00
HOST COMMUNITY TAX	114,000.00
LANDFILL CLOSURE ESC	500,000.00
GASOLINE OTHER EXPENSE	799,000.00
Vehicle Maintenance Salaries & Wages	555,336.49
Vehicle Maintenance Other Expenses	500,000.00
ROAD DEPT SALARIES AND WAGES	1,661,000.00
ROAD DEPARTMENT O/E	900,000.00
TR Bd of Ed S.S. - Trash Removal	59,062.50
Shared Services OCC-Trash Removal	10,500.00
Shared Svcs Fire Dist 1-Radio Repair	52,812.50
GARBAGE COLLECTION SALARY & WAGES	1,046,500.00
Garbage Collection O/E	40,000.00
RECYCLING Salaries and Wages	848,562.50
Recycling O/E	26,000.00
<b>Final Totals</b>	<b>66,224,320.66</b>
Bey Lea Salaries and Wages	211,000.00
Golf Course Depart. Expenses	475,491.25
Golf Course Other Expense	147,083.75
<b>Final Totals</b>	<b>833,575.00</b>
Winding River Salaries and Wages	233,250.00
Capital Improvements	500.00
Winding River Other Expenses	294,415.63
<b>Final Totals</b>	<b>528,165.63</b>

The foregoing Resolution was **APPROVED** on the following roll call vote:

Council Member Carr	Yes
Council Member Geoghegan	Yes
Council Member Hill	Absent
Council Member Maruca	Yes
Council Member Wittmann	Absent
Council Vice-President Manforti	Yes
Council President Kubiell	Yes

A motion was made by Council Member Manforti, seconded by Council Member Maruca, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent, to approve the following Resolution:

**RESOLUTION CANCELING CERTAIN CAPITAL ORDINANCES BALANCES**

**APRIL 12, 2016**

WHEREAS, there exists on the Capital Fund books and records certain capital ordinance with unexpended balances;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, that the following capital ordinances balances – General Capital totaling \$8,105,000 be and is hereby canceled:

<b>Ordinance Number</b>	<b>Capital Account Number</b>	<b>Unexpended Balance Cancelled</b>
<b>General Capital</b>		
4133-08	X-04- - 195-001	\$ 5,875,000.00
4133-08	X-04- - 195-002	125,000.00
4478-15	X-04- - 227-001	2,105,000.00
Total General Capital		<u>\$ 8,105,000.00</u>

BE IT FURTHER RESOLVED that the Township Clerk shall send a certified copy hereof to each of the following:

- a) Director, Division of Local Government Services (2 copies)
- b) Township Administrator
- c) Township Comptroller
- d) Township Auditor
- e) Affected Department Heads

Approved as to Content:

**CONSENT AGENDA**

Council President Kubiell announced the consideration of the Consent Agenda and noted if anyone had a desire to discuss an individual item it would be removed from the Consent Agenda.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiak voting yes, and with Council Members Hill and Wittmann absent, to approve all the following items listed on the Consent Agenda, except item **C, E, H** and **N**, which were done separately.

*RESOLUTION*

*APRIL 12, 2016*

*WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTIES FOR THE YEAR (S) INDICATED, DUE TO A SURVIVING SPOUSE VETERANS DEDUCTION,*

*AND;*

*WHEREAS, the party or parties have shown proof of payment and/or have executed an affidavit for same, and;*

*WHEREAS, the party or parties have delivered to the municipality and executed voucher for same.*

*NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, AS FOLLOWS:*

- 1. A refund shall be processed to party or parties to wit as follows:*

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
<b>KOERNER, STEVEN</b>	<b>413.04</b>	<b>5</b>	<b>2015/4</b>	<b>4,348.15</b>
<b>Totals</b>				<b>4,348.15</b>

- 2. Township Clerk shall send a copy of this resolution to Township Auditor, Township Chief Financial Officer and Tax Collector.*

*Approved as to content:*

*RESOLUTION*

*APRIL 12, 2016*

*WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTIES FOR THE YEAR (S) INDICATED, DUE TO A SURVIVING SPOUSE VETERANS DEDUCTION,*

*AND;*

*WHEREAS, the party or parties have shown proof of payment and/or have executed an affidavit for same, and;*

WHEREAS, the party or parties have delivered to the municipality and executed voucher for same.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, AS FOLLOWS:

1. A refund shall be processed to party or parties to wit as follows:

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
<b>CHARLES, PATRICIA</b>	<b>702</b>	<b>8</b>	<b>2016/1</b>	<b>1022.80</b>
<b>Totals</b>				<b>1022.80</b>

2. Township Clerk shall send a copy of this resolution to Township Auditor, Township Chief Financial Officer and Tax Collector.

Approved as to content:

**RESOLUTION**

**APRIL 12, 2016**

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTIES FOR THE YEAR (S) INDICATED, DUE TO HOMEOWNER SOLD PROPERTY AND FAILED TO NOTIFY THE TAX COLLECTOR TO STOP THE AUTOMATIC WITHDRAWAL,

AND;

WHEREAS, the party or parties have shown proof of payment and/or have executed an affidavit for same, and;

WHEREAS, the party or parties have delivered to the municipality and executed voucher for same.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, AS FOLLOWS:

1. A refund shall be processed to party or parties to wit as follows:

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
<b>LANI, MIKE EXECUTOR FOR THE ESTATE OF AUGUST LANNE</b>	<b>192.04</b>	<b>92</b>	<b>2016/1</b>	<b>352.32</b>
<b>RENDENA, VINCENT &amp; LUCIA</b>	<b>1064</b>	<b>3</b>	<b>2016/1</b>	<b>111.58</b>

<i>Totals</i>				<i>\$1463.90</i>

2. *Township Clerk shall send a copy of this resolution to Township Auditor, Township Chief Financial Officer and Tax Collector.*

*Approved as to content:*

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING  
AN AGREEMENT WITH CERTAIN APPROVED STATE CONTRACT VENDORS**

**APRIL 12, 2016**

WHEREAS, the Township of Toms River, as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment under any State Contract(s) for such materials, supplies or equipment entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury pursuant to N.J.S.A. 40A:11-12; and

WHEREAS, N.J.A.C. 5:34-7.29, entitled "The State of New Jersey's Cooperative Purchasing Program", provides that any local contracting unit purchasing, pursuant to N.J.S.A. 40A:11-12, materials, supplies or equipment under a contract entered into by the State Division of Purchase and Property shall authorize the award of such contract by resolution of the governing body unless the contract is awarded by a contracting agent pursuant to N.J.S.A. 40A:11-3, said regulations applicable effective date being January, 1991; and

WHEREAS, the Township Council of the Township of Toms River intends to evidence an agreement with the attached referenced State Contract vendors through this resolution and a properly executed purchase order, which agreement shall be subject to all the conditions applicable to the current State Contract; and

WHEREAS, the Township Council of the Township of Toms River authorizes the Purchasing Agent or designated representative to purchase those certain items from an approved New Jersey State Contract vendor within the threshold established pursuant to statute;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County and Ocean, and State of New Jersey, as follows:

1. This resolution together with a properly executed purchase order shall constitute an agreement between the Township of Toms River and the State Contract vendors, whose names are set forth in Exhibit A, as attached, and made a part of this resolution subject to all conditions applicable to the current State Contract(s).

2. Pursuant to the regulations of the Local Finance Board of the State of New Jersey no amount of this contract shall be chargeable or certified until such time as materials, supplies or equipment are ordered or otherwise called for prior to placing the order and a certification of availability of funds is made by the Chief Financial Officer upon receipt of a properly executed purchase order. The authorized individual, before issuing the purchase order, shall have the obligation of securing the necessary certification as to the availability of funds from the Chief Financial Officer.

3. The duration of this authorization shall be until December 31, 2016 or upon the expiration of the vendor's State Contract, or if renewed and/or extended by the State of New Jersey Department of Treasury, Division of Purchasing and Property provided with a valid State Contract Number, during the term of this agreement, whichever occurs first.

4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Chief Financial Officer
- c) Purchasing Division
- d) Public Works Dept.
- e) Police Dept.
- f) Recreation Dept.
- g) Bey Lea/Public Lands
- h) Ice Rink
- i) Parks, Buildings & Grounds

## **EXHIBIT "A"**

**“SEE ATTACHMENTS”**

### **RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF AN OPEN-ENDED CONTRACT TO RED THE UNIFORM TAILOR; LANIGAN ASSOCIATES, INC.; AND BLUE LINE UNIFORM AND SUPPLY LLC, FOR THE SUPPLY OF UNIFORM AND SPECIALTY ITEMS FOR VARIOUS UNIFORMED POLICE, PUBLIC SAFETY, AND COMMUNITY SERVICE PERSONNEL**

**APRIL 12, 2016**

WHEREAS, bids were invited on March 1, 2016 for the Supply of Uniform and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Communication Officers, Community Service Officers (CSO's), and Animal Control Officers; and

WHEREAS, bids were received, as follows:

Red the Uniform Tailor, Inc.  
475 Oberlin Avenue South  
Lakewood, N.J. 08701

Lanigan Associates, Inc.  
496 Shrewsbury Avenue  
Tinton Falls, NJ 07701

Blue Line Uniform and Supply LLC  
1520 Route 37# Unit #1  
Toms River, NJ 08755

WHEREAS, the bids have been reviewed by the Purchasing Division, which has recommended that the award of contracts be made, as follows:

**Red the Uniform Tailor** Item Nos.: 1-10, 16, 17, 20, 23, 24, 26-29, 31-38, 46-50, 54, 66, 70, 77-79, 81, 82, 84, 98C, 104, 106, 108-112, 123, 130-133, 138, 139, 156-158, 160, & 162-185, & 187-193

**Blue Line Uniform and Supply LLC** Item Nos.: 13, 21, 25, 39-41, 43, 45, 51-53, 55, 56, 59-65, 67-69, 72-76, 80, 83, 87, 89, 93-98B, 99-103, 105, 107, 113, 114, 117-122, 128, 129, 140-154, & 194-197

**Lanigan Assoc., Inc.** Item Nos.: 11, 12, 14, 15, 22, 30, 42, 44, 57, 58, 71, 85, 86, 88, 90, & 124-127

The following items did not receive any bids and will not be rebid. Quotes will be obtained: 18, 19, 91, 92, 115, 116, 134-137, 155, 159, 161, & 186

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards open-ended contracts for the Supply of Uniform and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Communication Officers, Community Service Officers (CSO's), and Animal Control Officers, as follows:

**Red the Uniform Tailor** Item Nos.: 1-10, 16, 17, 20, 23, 24, 26-29, 31-38, 46-50, 54, 66, 70, 77-79, 81, 82, 84, 98C, 104, 106, 108-112, 123, 130-133, 138, 139, 156-158, 160, & 162-185, & 187-193

**Blue Line Uniform and Supply LLC** Item Nos.: 13, 21, 25, 39-41, 43, 45, 51-53, 55, 56, 59-65, 67-69, 72-76, 80, 83, 87, 89, 93-98B, 99-103, 105, 107, 113, 114, 117-122, 128, 129, 140-154, & 194-197

**Lanigan Assoc., Inc.** Item Nos.: 11, 12, 14, 15, 22, 30, 42, 44, 57, 58, 71, 85, 86, 88, 90, & 124-127

The following items did not receive any bids and will not be rebid. Quotes will be obtained: 18, 19, 91, 92, 115, 116, 134-137, 155, 159, 161, & 186

Term of contract: One (1) year, commencing April 23, 2016 through April 22, 2017.

2. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. These contracts are subject to all terms and conditions of the bid specifications.

3. It hereby authorizes the appropriate Township Official to receive quotes for those items which did not receive bids.

4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Office of Emergency Management
- f) Animal Control
- g) Aforementioned bidders

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the open-ended contracts with Red the Uniform Tailor, Lanigan Associates, Inc. and Blue Line Uniform and Supply LLC are contingent upon the availability of funds in the appropriate municipal budget year.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: April 12, 2016

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE FROM STATE  
CONTRACT #M0483, FOR THE PURCHASE OF ARBITRATOR IN-CAR VIDEO  
EQUIPMENT FOR THE DEPARTMENT OF POLICE, FROM WIRELESS  
ELECTRONICS INC., DBA WIRELESS COMMUNICATIONS AND ELECTRONICS, IN  
THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$31,986.00**

**BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations promulgated thereunder, the following purchase without competitive bids from a vendor with a State contract are hereby approved.

2. Contract for the purchase of Arbitrator In-Car Video Equipment for the Department of Police from State Contract No. M0483 using the following vendor, for a total maximum amount not to exceed \$87,476.00.

**DESCRIPTION OF EQUIPMENT:**

Wireless Electronics Inc., DBA  
Wireless Communications & Electroncis  
153 Cooper Road  
West Berlin, NJ 08091  
Contract #89980

ITEM	MODEL/DESCRIPTION	QUANTITY	UNIT PRICE	EXTENDED PRICE
1	Arbitrator 360 HD - 256 SSD, software, front camera MSRP \$6,250.00	4	\$4,740.00	\$18,960.00
2	Arbitrator 360 HD - 900 Mhz Full Mic. Kit MSRP \$690.00	4	\$600.00	\$2,400.00
3	WiFi Black Antenna MSRP \$150.00	4	\$133.50	\$534.00
4	Arbitrator HD Back Seat IR Camera MSRP \$479.00	4	\$426.31	\$1,705.24
5	Arbitrator HD Side Cameras MSRP \$477.00	12	\$424.53	\$5,094.36
6	Camera/Siren Interface MSRP \$75.00	4	\$60.00	\$240.00
7	Panasonic G-Force Sensor MSRP \$299.00	4	\$269.10	\$1,076.40
8	1 Year Ar. Software Maintenance MSRP \$299.00	4	\$299.00	\$1,196.00
9	One year on-site support/maintenance	4	\$195.00	\$780.00
	Total Purchase			<b>\$31,986.00</b>

**WHEREAS**, the Department of Police is requesting authorization to purchase Arbitrator In-Car Video Equipment from the existing State Contract #M0483; and

**WHEREAS**, the current purchases will not exceed \$31,986.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations promulgated thereunder, purchases without competitive bids from State Contract #M0483, are hereby approved:

2. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

7. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department

### **CERTIFICATION**

THIS IS TO CERTIFY that the funds for the Arbitrator In-Car Video Equipment, for the Department of Police, in the amount of \$31,986.00, are available in Account No. X-04- -178-077.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected accounts at that time.

**CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER**

Dated: April 12, 2016

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF EQUIPMENT FOR THE DEPARTMENT OF POLICE USING STATE CONTRACT T0106 (POLICE AND HOMELAND SECURITY EQUIPMENT AND SUPPLIES), FROM MUNICIPAL EQUIPMENT ENTERPRISES, IN THE MAXIMUM AMOUNT OF \$6,053.99, AND EMERGENCY ACCESSORIES & INSTALLATIONS, IN THE MAXIMUM AMOUNT OF \$72,517.41, AND BLUE LINE EMERGENCY LIGHTING, IN THE MAXIMUM AMOUNT OF \$8,904.60 FOR A COMBINED TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$87,476.00**

**APRIL 12, 2016**

**BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. Contract for the purchase of Emergency and Police and Homeland Security items for Police Department from State Contract No. T0106 (Police and Homeland Security Equipment and Supplies), using the following vendors, for a total maximum amount not to exceed \$87,476.00.

**DESCRIPTION OF EQUIPMENT:**

Municipal Equipment Enterprises  
 2511 Fire Road, Suite B-8  
 Egg HarborTwp., NJ 08234

Vendor Contract #  
 81332

<i>Console</i>	C-VS-2400-CHGR-2	Havis Console for 2016 Charger	8	\$226.12	\$1,808.96
	C-VS-2400-INUT-1	Havis Console for 2016 Explorer	1	\$264.69	\$264.69
	C-EB25-XTL-1P	Havis 3" Face Plate for Motorola APX 7500 Radio	9	\$0.00	\$0.00
	C-EB40-CCS-1P	Rear mount with the 05 control head Havis 4" Whelen CenCom Faceplate	9	\$0.00	\$0.00
		Havis 1/2" Filler Plate	9	\$0.00	\$0.00
	CM005592	Havis Plate (3) DC cutouts & (1) USB Port cutout	9	\$0.00	\$0.00
	C-AP-0325	Havis 3" Tray	9	\$28.50	\$256.50
	C-CUP2-1	Havis 4" Internal Beverage Holder	9	\$26.02	\$234.18
	C-EB40-CCS-1P	Havis 4" Whelen CenCom Faceplate	2	\$19.20	\$38.40
	C-MCB	Havis AC Microphone Clip Bracket	6	\$8.67	\$52.02
	C-MC	Havis AC Microphone Clip (Prefer Rounded Ones)	6	\$6.81	\$40.86
	C-ARM-101	Havis Arm Rest	9	\$48.65	\$437.85
<i>Toughbook Mount</i>	PKG-PSM-168	Passenger Side Mount Package	2	\$183.99	\$367.98
	C-SM-SA-1	U Shape Bracket for Swivel Mount	9	\$64.43	\$579.87
<i>Push Bumper</i>	BK0533CGR15	Setina Steel Push Bumpers for 2016 Dodge Charger	8	\$216.92	\$1,735.36
	BK0535ITU16	Setina Steel Push Bumpers for 2016 Ford Explorer	1	\$237.32	\$237.32
					<b>\$6,053.99</b>

**Emergency Accessories & Installations**

250 Haddonfield-Berlin Road  
 Cherry Hill, NJ  
 08034

Vendor Contract #  
 81336

<i>Lightbar</i>	F4W8RRRR	Whelen Freedom IV Lightbar with 4 Red Corners	8	\$3,181.14	\$25,449.12
	795DM	Whelen Dash Mount Emitter	9	\$1,029.78	\$9,268.02
<i>Lights</i>	IONSMJ	Whelen Ion Red/Blue Split Surface Mount(Side of Push Bumpers)	18	\$97.20	\$1,749.60
	IONR	Whelen Super LED Ion Red (Mounted in Rear Trunk Lid)	12	\$97.20	\$1,166.40
	IONB	Whelen Super LED Ion Blue (Mounted in Rear Trunk Lid)	12	\$97.20	\$1,166.40
	AVN 1J	Whelen Avenger Split Red/Blue (Rear Deck)	20	\$117.72	\$2,354.40
	VTX609C	Whelen Vertex Super LED White (Rear Tail Lights - Reverse Light)	4	\$72.90	\$291.60
	WIONJ	Whelen (Rear Side Window Mounts) red/blue	4	\$97.20	\$388.80
	SFIONJ	Red/Blue Spit Fire Ion (Front Top Windshield for DB Cars)	3	\$99.36	\$298.08
	IONJ	Whelen (Rear Side Window Mounts) red/blue	8	\$97.20	\$777.60
	IW34UFX	Whelen InnerEdge XLP Series Red/Blue	1	\$954.72	\$954.72
	MBFX11JJ	Whelen Mirror Beam Single Ion Red/Blue (Side Mirror Lights)	2	\$213.30	\$426.60
<i>Speaker</i>	TAD8RB	Whelen LED Traffic Advisor Red/Blue	1	\$382.32	\$382.32
	SA315P	Whelen SA315P 100 Watt Speaker	12	\$177.12	\$2,125.44
	SAK*	Whelen Speaker Bracket Charger	12	\$22.14	\$265.68
<i>Controller</i>	CCSRNTA3	Whelen Cencom Sapphire	9	\$882.90	\$7,946.10
	HHS 2200	Whelen Handheld Siren	3	\$326.70	\$980.10

					\$55,990.98
<b>Vendor Contract # 81327</b>					
<i>Cage FUI NT</i>	P4702U INT13A	Partition Utility	1	\$455.25	\$455.25
	SP47FW13	Full Width Lower Extension	1	\$60.00	\$60.00
	S4702U INT13	Rear Partition w/ seat	1	\$924.00	\$924.00
	FP47U INT13	Floor Pan	1	\$90.18	\$90.18
	WB47U INT13	Window Bars	1	\$170.25	\$170.25
	DP47U INT13	Door Panels	1	\$99.00	\$99.00
<i>Cage DC</i>	PSSP5602C11A	Pro-Gard Space Saver Plus Prisoner Transport Partition	8	\$585.75	\$4,686.00
	S56C06	Seat	8	\$350.25	\$2,802.00
	FP56C06	Floor Pan	8	\$140.25	\$1,122.00
	WB56C11	Window Bars	8	\$170.25	\$1,362.00
	DP56C11	Door Panels	8	\$99.00	\$792.00
<i>Gun Rack</i>	G5040UT	Pro-Gard GunRack Pro-Cell Universal Mount	12	\$243.75	\$2,925.00
					<b>\$15,487.68</b>

**Vendor Contract #81375**

<i>Vault</i>	VT: "UP"	EZ "UP" Vault 45"W x 24"D x 8"H w/ Bracket	1	\$902.50	\$902.50
		4" SUV Basket	1	\$71.25	\$71.25
		Top Basket powdercoated Matte Black	1	\$65.00	\$65.00
					<b>\$1,038.75</b>

**Blue Line Emergency Lighting**  
P.O. Box 191  
Beachwood, NJ 08722

**Vendor Contract #81308**

<i>Toughbook Mount</i>	716-0776	Gamber Johnson-Tall Clevis Vessa 75MM & Gamber Johnson Hole Pattern	10	\$48.06	\$480.60
<i>ToughBook Docking Station</i>	7160-0318-12	Gamber Johnson CF-31 Docking Station w/dual RF & Lind Power Supply	10	\$842.40	\$8,424.00
					<b>\$8,904.60</b>
					<b>\$87,476.00</b>

**Contract with:** Municipal Equipment Enterprises  
2511 Fire Road, Suite B-8  
Egg Harbor Twp., NJ 08234  
Vendor #81332  
\$6,053.99 Account # X-04- -233-003

**TOTAL MAXIMUM AMOUNT \$6,053.99**

**Contract with:** **Emergency Accessories & Installations**  
250 Haddonfield-Berlin Road  
Cherry Hill, NJ 08034  
Vendor #81336  
\$55,990.98 Account # X-04- -233-003  
Vendor # 81327  
\$15,487.68 Account # X-04- -233-003  
Vendor # 81375  
\$1,038.75 Account # X-04- -233-003

**TOTAL MAXIMUM AMOUNT \$72,517.41**

**Contract with:** Blue Line Emergency Lighting  
P.O. Box 191  
Beachwood, NJ 08722

Vendor # 81308  
\$8,904.60 Account # X-04- -233-003

**COMBINED TOTAL MAXIMUM AMOUNT OF CONTRACTS: \$87,476.00**

3. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Police Department
- f) Office of Emergency Management
- g) Blue Line Emergency Lighting  
P.O. Box 191  
Beachwood, NJ 08722
- h) Municipal Equipment Enterprises  
2511 Fire Road, Suite B-8  
Egg Harbor Twp., NJ 08234
- i) Emergency Accessories & Installations  
250 Haddonfield-Berlin Road  
Cherry Hill, NJ 08034

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract for vendors with State contract T0106, Municipal Equipment Enterprises, in the total contract amount not to exceed \$6,053.99; and Emergency Accessories & Installations, in the total contract amount not to exceed \$72,517.41; and Blue Line Emergency Lighting, in the total contract amount not to exceed \$8,904.60 for a total combined maximum amount not to exceed \$87,476.00.

Municipal Equipment Enterprises, Vendor Contract # 81332; funds in an amount of \$6,053.99 are available in Account No. X-04- -233-003.

Emergency Accessories & Installations, Vendor Contract #81336, funds in the amount of \$55,990.98 are available in Account No. X-04- -233-003; and Vendor Contract # 81327, funds in the amount of \$15,487.68; and Vendor Contract # 81375, funds in the amount of \$1,038.75 are available in Account No. X-04- -233-003.

Blue Line Emergency Lighting, Vendor # 81308, funds in the amount of \$8,904.60 are available in Account No. X-04- -233-003.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: September 22, 2015

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE  
SALE OF SURPLUS TOWNSHIP PERSONAL AND/OR TANGIBLE  
PERSONAL PROPERTY FOUND OR RECOVERED BY THE POLICE  
DEPARTMENT NOT NEEDED FOR PUBLIC USE, ON AN ONLINE  
AUCTION WEBSITE THROUGH USGOVBID GOVERNMENT AUCTION  
LIQUIDATION SERVICES**

**APRIL 12, 2016**

**WHEREAS**, resolution of the Township Council dated June 24, 2014, and extended by resolution on June 9, 2015, authorized the Mayor to execute an Agreement with USGovBid Auction Liquidation Services, a full-service New Jersey State approved vendor, to conduct an online auction for surplus items, confiscated items, and abandoned items, at a fee of 4% commission on the full proceeds, and no Buyer's Premium; and

**WHEREAS**, the Township of Toms River also may have tangible personal property found or recovered by the Toms River Police Department; and

**WHEREAS**, the Township of Toms River is the owner of the vehicles and surplus equipment, attached herein, as Schedule "A", which are no longer needed for public use, and authorizes sale pursuant to N.J.S.A. 40A:11-36 to the highest bidder; and

**WHEREAS**, the Local Unit Technology Program and Study Act (PL 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

**WHEREAS**, Toms River Township will be utilizing the online auction services of USGovbid Government Surplus located at [www.usgovbid.com](http://www.usgovbid.com) to perform the online auction services at a fee of 4% of the proceeds and no Buyer's Premium; and

**WHEREAS**, the sales are being conducted pursuant to the Division of Local Government Services Local Finance Notices 2008-9 and 2008-21;

**NOW, THEREFORE BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. The Township hereby declares the tangible personal property and surplus equipment is no longer needed for public use.
2. The Township and its officers, are hereby authorized and directed to take any and all steps necessary to proceed with a public sale of said vehicles and surplus equipment in "as is" condition.
3. The notice of the date, time, and place of the public sale, together with a description of surplus equipment and the conditions of sale, shall be published in the Asbury Park Press with the date being held not less than seven (7), not more than (14) days after publication of said notices utilizing the online auction services of USGovbid Government Surplus located at [www.usgovbid.com](http://www.usgovbid.com), at a fee of 4% of the proceeds and no Buyer's Premium.
4. No limit shall be placed on the number of surplus items or vehicles that can be purchased by one bidder.
5. The Township shall retain the right to reject all bids.
6. This resolution shall take effect immediately.
7. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Purchasing Division
  - b) Business Administrator
  - c) Chief Financial Officer
  - d) Township Attorney
  - e) Police Department

- f) Public Works Department
- g) Department of Parks, Buildings & Grounds
- h) USGovBid Auction Liquidation Services  
P.O. Box 1216  
Eatontown, N.J. 07724
- i) USGovBid Auction Liquidation Services  
1 Industrial Way West  
Bldg. A  
Eatontown, N.J. 07724
- j) Department of Community Affairs  
Division of Local Government Services  
Attn: Director  
P.O. Box 803  
Trenton, N.J. 08625-0803

## **SCHEDULE "A"**

**"See Attachments"**

**RESOLUTION APPROVING AN AMENDED PERMIT APPLICATION WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR CAFRA PERMITS FOR THE REPLACEMENT OF THE BRETON HARBOR DRIVE FOOTBRIDGE, AT AN ADDITIONAL COST OF \$5,500, AND A MAXIMUM TOTAL EXPENDITURE OF \$6,000.**

**APRIL 12, 2016**

**WHEREAS**, resolution of the Township Council dated March 24, 2015, authorized Robert J. Chankalian, Township Engineer to apply and execute a State of New Jersey Department of Environmental Protection, Division of Land Use Regulation Application Form, for the replacement of the Breton Harbor Drive Footbridge, and;

**WHEREAS**, funds for the CAFRA Waterfront Development General Permits Application were approved in the amount of \$500.00, and;

**WHEREAS**, the actual cost of the NJDEP-CAFRA Water Development General Permits is \$6,000.00, and;

**WHEREAS**, the NJDEP has credited this application in the amount of \$500.00 previously approved and paid to the NJDEP, and;

**WHEREAS**, the remaining cost of the NJDEP-CAFRA permit is \$5,500.00, for a total amount of \$6,000.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. In accordance with resolution dated March 24, 2015, and purchase order in the amount of \$500.00, it hereby authorized the Township Engineer to sign an amended permit application, and further authorizes an additional purchase order in the amount of \$5,500.00.

2. Funds for the amended NJDEP-CAFRA permit application in the amount of \$5,500.00 are available in Account No. X-04- 213-006. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney

- b) Chief Financial Officer
- c) Engineering Division
- d) Frank Scarantino, P.E.  
Ocean County Engineer  
Ocean County Department of Engineering  
129 Hooper Avenue  
Toms River, NJ 08754
- e) State of New Jersey  
Department of Environmental Protection  
Division of Land Use Regulation  
501 E. State Street  
Mail Code 501-02A  
PO Box 420  
Trenton, NJ 08625-0420

**CERTIFICATION**

**THIS IS TO CERTIFY** that the required fee for NJDEP-CAFRA permit for the replacement of the Breton Harbor Drive Footbridge has been amended to a total amount of \$6,000.00. The additional amount of \$5,500.00 is available in Account No. X-04- -213-006.

More specifically, the actual encumbrance of the funds will be based upon the approval of a fully executed purchase order by the Chief Financial Officer. Said purchase order will encumber the funds for the affected account at that time.

CHRISTINE J. MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: April 12, 2016

**RESOLUTION AUTHORIZING TOWNSHIP ENGINEER TO EXECUTE AN APPLICATION WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF WATER SUPPLY, BUREAU OF WATER ALLOCATION FOR A PERMIT TO INCREASE SURFACE AND SUBSURFACE WATER ALLOCATION FOR VARIOUS TOWNSHIP PARKS INCLUDING BEY LEA GOLF COURSE AT A TOTAL COST OF \$8,405.00.**

**APRIL 12, 2016**

**WHEREAS**, based on new irrigation regulations of the New Jersey Department of Environmental Protection and associated monitoring of water allocation, as well as to increase the daily amount of water that Bey Lea Golf Course can divert from the Long Swamp Creek and its onsite well for irrigation use, and;

**WHEREAS**, the NJDEP, Division of Water Supply, Bureau of Water Allocation, requires a water allocation permit, and;

**WHEREAS**, the cost of the water allocation permit is \$8,405.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby authorizes the Township Engineer to execute a NJDEP, Division of Water Supply, Bureau of Water Allocation permit application to increase the surface and subsurface water allocation for various parks, throughout the Township, including Bey Lea Golf Course.

2. Funds for the NJDEP permit application in the amount of \$8,405.00 are available in Account No. X-04- 203-006. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Chief Financial Officer
- c) Engineering Division
- e) State of New Jersey  
Department of Environmental Protection  
Division of Water Supply  
Bureau of Water Allocation  
Mail Code 501-03  
PO Box 420  
Trenton, NJ 08625-0420

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the required fee for NJDEP permit for water allocation for various parks throughout the Township, including Bey Lea Golf Course, is \$8,405.00. The funds are available in Account No. X-04- -203-006.

More specifically, the actual encumbrance of the funds will be based upon the approval of a fully executed purchase order by the Chief Financial Officer. Said purchase order will encumber the funds for the affected account at that time.

**CHRISTINE J. MANOLIO  
CHIEF FINANCIAL OFFICER**

Dated: April 12, 2016

### **RESOLUTION TO ESTABLISH A DEDICATION BY RIDER FOR A RESERVE FOR GREEN TEAM EVENTS**

**APRIL 12, 2016**

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

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by Dedication by Rider.

NOW, THEREFORE, BE IT RESOLVED BY THE Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

1. The Township Council of the Township of Toms River hereby requests permission of the Director of the Division of Local Government Services, to pay expenditures under the provisions of N.J.S.A. 40A:4-39 for the exclusive purpose of depositing and expending funds paid by individuals to offset the costs of Green Team events.

2. The purpose of this Dedication by Rider is to accept and expend funds paid for Green Team events in the Township.

3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to the following:

- a) Division of Local Government Services (2 copies)
- b) Township Chief financial Officer
- c) Planning Board-Jay Lynch/Erika Stahl
- d) Law Department
- e) Township Auditor

Approved as to content

## **RESOLUTION**

**April 12, 2016**

**WHEREAS, the following application for masseuse and massage business licenses have been made under the Provisions of Ordinance numbers 1606 and 1682:**

<b>MASSAGE BUSINESS #26-16</b>	<b>All Stars Day Spa 1757 Adams Ave Toms River, NJ 08753</b>
<b>MASSAGE LICENSE #27-16</b>	<b>Olga Melton 2547 East 12 Street Brooklyn, NY 11235</b>
<b>MASSAGE LICENSE #31-16</b>	<b>Xiaoli Ge 1120 Aspen Dr Toms River, NJ 08753</b>
<b>MASSAGE BUSINESS #34-16</b>	<b>K&amp;M Healing Acupressure 213 Route 37 – Suite 9 Tom River, NJ 08753</b>
<b>MASSAGE LICENSE #35-16</b>	<b>Gui Jin 140-16 34th Ave Apt 313 Flushing, NY 11354</b>
<b>MASSAGE BUSINESS #37-16</b>	<b>Ocean Therapy 1201 Hooper Ave Ocean County Mall Toms River, NJ 08753</b>

**WHEAREAS, said applicants have complied with all the requirements of Ordinance numbers 1606 and 1682, Chapter 357, of the “Code of the Township of Toms River, New Jersey,” with respect to licensing; and**

**WHEREAS, the appropriate licensing fee has been paid To the Township of Toms River;**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

- 1. The Township Clerk is herby authorized to issue the licenses Listed in the preamble hereof.**

2. **A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:**
  - a. **Attorney**
  - b. **Chief of Police**
  - c. **Code Enforcement**
  - d. **Applicants listed above**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 591.25, LOT 50 (1020 Hooper Avenue)**

**April 12, 2016**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Lake Real Estate, LLC, Block 591.25, Lot 50.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # K09003162 in the amount of \$566,280.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$62,920.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$13,108.98 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance Lake Real Estate, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. Lake Real Estate, LLC  
399 Monmouth Street  
East Windsor, NJ 08520

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS BLOCK 814, LOT 3, 20 AND 29 (ROUTE 37)**

**April 12, 2016**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 814, Lots 3, 20 & 29.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$700.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$250.00 which represents the required initial

escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Robert Hansen, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. Robert Hansen  
3346 Windsor Avenue  
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS 1181 ROUTE 37 WEST, LLC BLOCK 506.02, LOT 24 (Route 37 West)**

**April 12, 2016**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as 1181 Route 37 West, LLC, Block 506.02, Lot 24.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$254,900.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$5,310.00 which represents the required initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 1181 Route 37 West, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. 1181 Route 37 West, LLC  
C/O Byron Kotzas  
25 Route 37 East  
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A  
MAJOR SITE PLAN KNOWN AS BLOCK 120, LOTS 6, 8 AND 9 BLOCK 132, LOTS 285-  
288, BLOCK 132 LOTS 272-285 and 727-732  
(Route 70)

April 12, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Block 120, Lots 6, 8 and 9 Block 132, Lots 285-288, Block 132 Lots 272-285 and 727-732.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$253,000.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$5,271.38 which represents the required Initial escrow amount for inspection fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by MBK Properties, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Township Clerk shall send a certified copy hereof to each of the following:
  - a. Township Engineer
  - b. Chief Financial Officer
  - c. Township Attorney
  - d. MBK Properties  
25 Route 37 East  
Toms River, NJ 08753

**RESOLUTION APPOINTING TOWNSHIP  
PARKING VIOLATION OFFICER**

April 12, 2016

WHEREAS, the Mayor has made the following nomination for appointment as Parking Violation Officer and the Council has considered same and consents;

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. The following person is hereby appointed **PARKING VIOLATIONS OFFICER** for the Year 2016:

**KYLE SCHWEIGER – BADGE #862  
1925 Oakwood Parkway  
Union, NJ 07083**

2. No fee shall be charged to said appointee for said certificate of appointment.
3. No appointee shall carry a revolver or other weapon while performing the duties herein created.
4. The appointee shall present himself/herself before the Township Clerk and take the Oath of Office before the appointment created hereby becomes effective.

5. A certified copy hereof shall be sent to each of the following:

- a. Township Attorney
- b. Police Department
- c. Appointee listed above via the Parking Authority
- d. Human Resources Office
- e. Office of the Township Council
- f. Office of the Mayor

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AWARD OF A CONTRACT TO R. KREMER & SON MARINE CONTRACTORS, LLC, AS LOW BIDDER MEETING ALL THE SPECIFICATIONS FOR VARIOUS TOWNSHIP-WIDE BULKHEAD IMPROVEMENTS - PHASE 4 PROJECT AND IMPROVEMENTS TO HUDDY PARK AND THE SURROUNDING STREETScape, FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$2,508,597.65**

**APRIL 12, 2016**

WHEREAS, bids were invited on March 30, 2016 for various township-wide bulkhead improvements - Phase 4 project and improvements to Huddy Park and the surrounding streetscape; and

R. Kremer & Son Marine Contractors LLC 253 Drum Point Road Brick, NJ 08723	\$2,508,597.65
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Albert Marine Construction Inc. 65 Pennsylvania Avenue Waretown, NJ 08758	\$2,943,294.25
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JE Hannon, Inc. TA Bird Construction 105 Harbor Inn Road Bayville, NJ 08721	\$3,681,684.20
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Lucas Construction Group, Inc. 175 Amboy Road Morganville, NJ 07751	\$4,786,694.00
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Mabro, Inc. 127 Pine St., PO Box 134 Montclair, NJ 07042	\$4,917,117.00
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Agate Construction Co., Inc. 1030 Route 83 Clermont, NJ 08210	\$5,224,467.50
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WHEREAS, the bids have been reviewed by the Purchasing Division and the Engineering Division, and they have recommended that the award of contract be made to R. Kremer & Son Marine Contractors, LLC, as low bidder meeting all the specifications, for a total contract price not to exceed \$2,508,597.65;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards a contract to R. Kremer & Son Marine Contractors, LLC, as low bidder meeting all the specifications, for various township-wide bulkhead improvements – Phase 4 project and improvements to Huddy Park and surrounding streetscape, in the total contract price not to exceed \$2,508,597.65. The award of this contract is subject to all the terms and conditions of the bid specifications. Funds in the maximum contract price not to exceed \$2,508,597.65, are available as follows:

Account No. X-04- -213-005	\$1,892,625.00
Account No. X-04- -213-007	\$ 595,000.00
Account No. X-04- -224-005	\$ 20,972.65

The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Engineering Division
- e) Aforementioned Bidders

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract awarded to R. Kremer & Son Marine Contractors, LLC, in the maximum contract price not to exceed \$2,508,597.62, are available as follows:

Account No. X-04- -213-005	\$1,892,625.00
Account No. X-04- -213-007	\$ 595,000.00
Account No. X-04- -224-005	\$ 20,972.65

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected accounts at that time.

CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: April 12, 2016

A motion was made by Council Member Maruca, seconded by Council Member Manforti, and carried with Council Members Geoghegan, Manforti, Maruca, and Council President Kubiak voting yes, and Council Member Carr abstaining, and with Council Members Hill and Wittmann absent, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACTS FOR PRINTED FLAT FORMS, LETTERHEAD AND ENVELOPES FOR ALL DEPARTMENTS AS NEEDED, TO URNER BARRY PUBLICATIONS, INC., AMERICAN SOLUTIONS FOR BUSINESS, PAPER MART, INC., INK ON PAPER COMMUNICATIONS INC., RIDGEWOOD PRESS, TC SQUARED LLC/DBA CENTURION PRINTING, ENVELOPES & PRINTED PRODUCTS, INC., MINUTEMAN PRESS, ADVANCED COMPUTER CONCEPTS INC., AS LOWEST BIDDERS PER ITEM**

**APRIL 12, 2016**

**WHEREAS**, bids were invited on March 9, 2016 for the supply of printed flat forms, letterhead & envelopes for all departments, as needed; and

**WHEREAS**, bids were received, as follows:

Urner Barry Publications, Inc. 182 Queens Boulevard Bayville, NJ 08721	TC Squared LLC/dba Centurion Printing 352 Market Street Kenilworth, NJ 07033
American Solutions for Business 31 E. Minnesota Avenue Glenwood, MN 56334	Envelopes & Printed Products, Inc. 135 Fairview Avenue Prospect Park, NJ 07508
Paper Mart, Inc. 151 Ridgedale Avenue East Hanover, NJ 07936	Minuteman Press 1818 Highway 35 Wall, NJ 07719
Ink on Paper Communications Inc. 450 Shrewsbury Plaza #372 Shrewsbury, NJ 07702	Advanced Computer Concepts Inc. t/a TREC 808 Lowell Avenue Toms River, NJ 08753
Ridgewood Press 609 Franklin Turnpike Ridgewood, NJ 07450	Atlantic Envelope Co. Inc. 16 Passaic Avenue Unit 7 Fairfield, NJ 07004
Office Basics Inc 22 Creek Circle Boothwyn, PA 19061	

**WHEREAS**, the bids have been reviewed by the Purchasing Division, which recommends that contracts be awarded to the following vendors, as lowest bidders per line item:

**Urner Barry Publications, Inc.** Item nos.: 36, 37, 38, & 40

**American Solutions for Business** Item nos.: 5A-J, 10, 11, 14, 28, 60, 69, 77, 80, 81, 82, 82A, & 82B

**Paper Mart, Inc.** Item nos.: 7

**Ink on Paper Communications Inc.** Item nos.: 5A-F, 5H-K, & 95

**Ridgewood Press** Item nos.: 1, 5A-K, 9, 12A, 12B, 13, 15, 17, 27, 32, 33, 34, 35, 39, 41-48, 50-58, 65, 66, 73-76, 78, 79, 85, 86, 88, 89, 91, & 98

**TC Squared LLC/dba Centurion Printing** Item nos.: 5A-K, 6, 8, 18, 29, 49, 67, 96, & 99

**Envelopes & Printed Products, Inc.** Items nos.: 4A, 4B, & 61A-N

**Minuteman Press** Item nos.: 5A-F, 5H, 16, 25, 26, 30, 31, 59, 62, 63, 64, 68, 72, 83, 84A, 84B, 87, 97, 100, & 101

**Advanced Computer Concepts Inc.** t/a TREC Item nos.: 2, 2A, 3, 3A, 19, 20, 21, 22, 23, 24, 70, 71, 90, 92, 93, & 94

**Office Basics, Inc.** was non-responsive.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards the contract for the supply of printed flat forms, letterhead & envelopes, to the following vendors, as lowest bidders per line item:

**Urner Barry Publications, Inc.** Item nos.: 36, 37, 38, & 40

**American Solutions for Business** Item nos.: 5A-J, 10, 11, 14, 28, 60, 69, 77, 80, 81, 82, 82A, & 82B

**Paper Mart, Inc.** Item nos.: 7

**Ink on Paper Communications Inc.** Item nos.: 5A-F, 5H-K, & 95

**Ridgewood Press** Item nos.: 1, 5A-K, 9, 12A, 12B, 13, 15, 17, 27, 32, 33, 34, 35, 39, 41-48, 50-58, 65, 66, 73-76, 78, 79, 85, 86, 88, 89, 91, & 98

**TC Squared LLC/dba Centurion Printing** Item nos.: 5A-K, 6, 8, 18, 29, 49, 67, 96, & 99

**Envelopes & Printed Products, Inc.** Items nos.: 4A, 4B, & 61A-N

**Minuteman Press** Item nos.: 5A-F, 5H, 16, 25, 26, 30, 31, 59, 62, 63, 64, 68, 72, 83, 84A, 84B, 87, 97, 100, & 101

**Advanced Computer Concepts Inc.** t/a TREC Item nos.: 2, 2A, 3, 3A, 19, 20, 21, 22, 23, 24, 70, 71, 90, 92, 93, & 94

Term of Contract: One (1) year, commencing April 24, 2016 through April 23, 2017. All terms and conditions of the bid specifications are applicable on these contracts. These will be open-ended contracts with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget year. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) All Aforementioned Bidders

## **CERTIFICATION**

**THIS IS TO CERTIFY**, that the funds for the contracts awarded to: Urner Barry Publications, Inc., American Solutions for Business Paper Mart, Inc., Ink on Paper Communications Inc., Ridgewood Press, TC Squared LLC/dba Centurion Printing, Envelopes & Printed Products, Inc., Minuteman Press, and Advanced Computer Concepts Inc., are open-ended contracts, contingent upon the availability of funds in the appropriate municipal budget.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

CHRISTINE J. MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: April 12, 2016

Ken Langdon spoke regarding the following Resolution.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiel voting yes, and with Council Members Hill and Wittmann absent, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO EMPIRE CONSTRUCTION & PROPERTY MANAGEMENT GROUP, INC. AS LOWEST RESPONSIBLE BIDDER MEETING ALL THE SPECIFICATIONS, IN THE AMOUNT OF \$92,042.02, FOR THE 2016 DUNE WALKOVER REPAIR PROJECT**

**APRIL 12, 2016**

**WHEREAS**, bids were invited on April 7, 2016 for the 2016 Dune Walkover Repair Project; and,

**WHEREAS**, bids were received, as follows:

Empire Construction & Property Mgmt Group, Inc. 14 Grove Street Middletown, NJ 07748	\$	92,042.02
TR Weniger, Inc. 1900 New Brunswick Avenue Piscataway, NJ 08854	\$	181,400.00
TC Landscape Construction Group Inc. 729 Marie Street Toms River, NJ 07853	\$	214,500.00

**WHEREAS**, the bids have been reviewed by the Purchasing Agent and Engineering Department, and recommendation has been made to award the contract to Empire Construction & Property Management Group, Inc. who is the lowest bidder meeting all of the specifications at a total contract price of \$92,042.02.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards the contract to Empire Construction & Property Management Group, Inc. at a total contract price of \$92,042.02, for the 2016 Dune Walkover Repair Project. The funds are available in account number X-04- -217-003. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. This contract is subject to all terms and conditions of the bid specifications.

2. The Mayor is authorized to execute and the Township Clerk to attest to the above contract.

3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Thomas F. Kelaher
- b) Business Administrator
- c) Purchasing Division
- d) Chief Financial Officer
- e) Township Attorney
- f) Engineering Department
- g) Aforementioned bidders

## CERTIFICATION

**THIS IS TO CERTIFY**, that the funds for the contract awarded to Empire Construction & Property Management Group, Inc. in the amount of \$92,042.02, are available in Account No. X-04- -217-003.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected accounts at that time.

CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: April 7, 2016

Debbie Martin questioned the following Resolution. Council President Kubiak explained.

Debbie Martin also spoke regarding dune walkovers project.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiak voting yes, and with Council Members Hill and Wittmann absent, to approve the following Resolution.

**RESOLUTION AUTHORIZING PURCHASE FROM STATE CONTRACT NO. T2686, VENDOR NO. 78189 WITH O'BRIEN'S RESPONSE MANAGEMENT INC. IN AN OPEN-ENDED CONTRACT FOR FEMA SERVICES/DATABASE DOCUMENTATION IN CONNECTION WITH WINTER STORM JONAS (DR-4264)**

**APRIL 12, 2016**

**WHEREAS**, the President issued a federal disaster declaration for Winter Storm Jonas (DR-4264), making federal funding available to carry costs associated with responding to and recovery from this storm, and;

**WHEREAS**, the damage caused by winter storm Jonas necessitated emergency expenditures for products and services required for recovery efforts, and;

**WHEREAS**, the Township is currently under contract for assistance with FEMA Database Documentation with O'Briens Response Management, Inc. for Superstorm Sandy and seeks to utilize the same services for Winter Storm Jonas (DR-4264).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. The Township is authorized to enter into an open-ended contract to utilize State Contract T2686/T78189 with O'Brien's Response Management Inc., 103 Morgan Lane, Suite 103, Plainsboro, New Jersey 08536 for FEMA Services/Database Documentation, in connection with Winter Storm Jonas (DR-4264).

2. Funds are available in Account No. 6-01- -S84-439. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Chief Financial Officer
- c) Public Works
- d) Office of Emergency Management

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the open-ended contract with O'Brien's Response Management Inc. are available in Account No. 6-01- -S84-439.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

CHRISTINE MANOLIO  
CHIEF FINANCIAL OFFICER

Dated: April 12, 2016

A motion was made by Council Member Maruca, seconded by Council Member Manforti, and carried with Council Members Carr, Geoghegan, Manforti, and Council Member Maruca voting yes, and Council President Kubiak abstaining, and with Council Members Hill and Wittmann absent, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICES  
AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE JOINT  
BOARDS OF FIRE COMMISSIONERS, FIRE DISTRICTS NO. 1 AND NO. 2, FOR FIRE  
SUBCODE SERVICES, FOR A TWO YEAR TERM COMMENCING RETROACTIVELY  
ON JANUARY 1, 2016 THROUGH DECEMBER 31, 2017**

**APRIL 12, 2016**

**BE IT RESOLVED** by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. The Mayor is authorized to execute and the Township Clerk to attest to a Shared Service Agreement between the Township of Toms River and the Joint Boards of Fire Commissioners Districts No. 1 and No. 2, which will provide for fire subcode services by the aforesaid Fire Districts. The term of this Agreement will be for two years, commencing retroactively on January 1, 2016 and terminating on December 31, 2017. A copy of this agreement will be kept on file in the Office of the Township Clerk upon execution.

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Construction Dept.
- c) Building Dept.
- d) Chief Financial Officer
- e) Fire Prevention
- f) Joint Boards of Fire Commissioners

- District No. 1  
P.O. Box 61  
45 W. Water Street  
Toms River, N.J. 08753  
Attn: Robert Romano, Clerk
- g) Joint Board of Fire Commissioners  
District No. 2  
257 Warner Street  
Toms River, N.J. 08753

## REPORTS

A motion was made by Council Member Manforti, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann, to approve the following Reports.

1. Clerk's Office- March 2016: \$6858.35
2. Youth Services- March 2016: \$5,790.00

## APPROVAL OF BILLS

Council President Kubiell asked for a report on the bills.

The Bill List, dated **April 8, 2016** was approved on motion by Council Member Maruca, seconded by Council Member Manforti, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent. The following respective exceptions to their votes were noted as abstentions to this vote:

Council President Kubiell abstained due to Business conflicts on the following:

Purchase Order 16-01770, payable to Board of Fire Commissioners-District One, in the amount of \$1,047,462.94.

Council Member Manforti abstained due to Business conflicts on the following:

Purchase Order 15-01161 and 16-01207, payable to Dasti, McGuckin Attorneys at Law, in the amount of \$2,457.00.

Council Member Carr abstained due to Business conflicts on the following:

Purchase Order 15-06245, payable to Big Brothers/Big Sisters in the amount of \$3,500.00.

Council Member Maruca abstained due to Business conflicts on the following:

Purchase Order 16-00468, payable to Terry Brady, Esquire, in the amount of \$3,916.67.

Purchase Order 15-01161 and 16-01207, payable to Dasti, McGuckin Attorneys at Law, in the amount of \$2,457.00.

Purchase Order 16-01820 and 16-01875, payable to FY16 New Jersey Motor Vehicle Lease in the amount of \$4,027.50.

## ELECTED OFFICIALS COMMENTS

Council Members Carr, Geoghegan, and Manforti had no comments.

Mayor Kelaher spoke regarding beach project progress; Toms River East Little League opening day and its 50<sup>th</sup> anniversary.

Councilwoman Maruca spoke regarding beach replenishment project in Ortley Beach, and Toms River East Little League opening day.

Councilman Kubieli spoke regarding Judge Ford's recent decision regarding beach projects, and Township free tree distribution program.

## **PUBLIC COMMENTS**

Council President Kubieli announced the public portion and asked if any one wished to speak at this time.

Nels Luthmann questioned the township property acquisitions in Ordinance on agenda.

Pat Klaslo questioned the township property acquisitions in Ordinance on agenda.

Ken Langdon spoke regarding township beach replenishment efforts. Lou Amoruso, Department of Public Works Director, replied.

J. Mark Mutter, Township Clerk read the following Ordinance of which the title only was read in full:

A motion was made by Council Member Carr, seconded by Council Member Geoghegan, and carried that an Ordinance entitled:

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 325-3 (GREENS FEES) AND SECTION 325-4 (RESIDENT REGISTRATION CARDS) OF CHAPTER 325 (GOLF COURSES) OF THE TOWNSHIP CODE**

be taken up for further consideration, public hearing and final passage. Said ordinance was thereupon read by title only, pursuant to authority of Statutes of New Jersey, copy of said ordinance having been posted as directed by said law, whereupon Council President Kubieli announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith.

Jared Tate, Recreation Director, gave overview of the Bey Lea Golf Course current operations and the proposed Ordinance changes.

Philip Castiglione spoke and questioned the proposed Ordinance and opposed it.

Steve Butera, Gene Berrier, Thomas Lafera, Valerie Esposito, Mary Harrigan, Warren Backer, Anthony Kaniuk, Dennis Wagenblast, Robert Stevenson, and Robert Murray spoke regarding the proposed Ordinance and opposed it.

Robert Peck spoke regarding the proposed Ordinance and asked that the Ordinance be tabled for further review.

Councilman Carr spoke regarding the Ordinance and suggested the Ordinance be tabled to April 26, 2016.

Councilman Carr offered to head up a review of the Ordinance and Councilman Manforti offered to assist.

On motion by Council Member Carr, seconded by Council Member Geoghegan and carried, the public hearing was closed.

A motion was made by Council Member Carr, seconded by Council Member Geoghegan, and carried with Council Members Carr, Geoghegan, Manforti, Maruca and Council President Kubieli voting yes, and with Council Members Hill and Wittmann absent, **that the Ordinance be tabled to the April 26, 2016 Regular Meeting.**

J. Mark Mutter, Township Clerk read the following Ordinance of which the numerical listing on the agenda only was read:

A motion was made by Council Member Manforti seconded by Council Member Carr, and carried that an Ordinance entitled:

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 383 (PARKS, MUNICIPAL) OF THE TOWNSHIP CODE TO AMEND ICE RENTAL FEES FOR THE WINDING RIVER PARK ICE SKATING RINK FACILITIES**

be taken up for further consideration, public hearing and final passage. Said ordinance was thereupon read by title only, pursuant to authority of Statutes of New Jersey, copy of said ordinance having been posted as directed by said law, whereupon Council President Kubieli announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith. There was no response.

On motion by Council Member Carr seconded by Council Member Manforti and carried, the public hearing was closed.

Council Member Manforti offered the following resolution and moved its adoption, Council Member Carr seconded the motion:

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the foregoing ordinance, the title of which is quoted in the title hereof, be and the same is hereby passed on second and final reading.
2. That the title and purpose of said ordinance, together with the Notice of Final Passage thereof is published in the Asbury Park Press.

The foregoing Ordinance was adopted on roll call by the following vote:

Council Member Carr	- Yes
Council Member Geoghegan	- Yes
Council Member Hill	- Absent
Council Member Maruca	- Yes
Council Member Wittmann	- Absent
Council Vice-President Manforti	- Yes
Council President Kubieli	- Yes

No further comments from the public appearing, a motion was made by Council Member Maruca, seconded by Council Member Carr, and carried to enter into a private Executive Session at 8:08 PM.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried, to adopt the following resolution, which was read into the record by the Township Clerk:

**RESOLUTION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, Public Law 1975, permits the exclusion of the public from a meeting in certain circumstances to discuss matters requiring confidentiality and/or of a privileged nature; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. The Township Council will now conduct a private Executive Session.
2. The general nature of the subject matter to be discussed and/or acted upon is as follows:

Matters of Personnel  
Attorney Client Privilege Matters

3. The following specific topics were announced.

1. Executive Session Minutes:

February 3, 2016  
February 9, 2016  
March 22, 2016

2. Personnel

4. It is anticipated that deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

The foregoing resolution was approved on the following roll call vote:

Council Member Carr	- Yes
Council Member Geoghegan	- Yes
Council Member Hill	- Absent
Council Member Maruca	- Yes
Council Member Wittmann	- Absent
Council Vice-President Manforti	- Yes
Council President Kubiell	- Yes

The Council reconvened the public portion at 8:20 P.M., with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell all present, and with Council Members Hill and Wittmann absent.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Maruca, and Council President Kubiell voting yes, and Council Members Manforti and Geoghegan abstaining, and with Council Members Hill and Wittmann absent, to approve the following Resolution. (Only four Members were present on February 3, 2016 and the vote of Members Carr, Maruca, and Kubiell was a majority of that meeting's quorum - - thereby approving these Minutes.)

#### **RESOLUTION APPROVING EXECUTIVE SESSION MINUTES**

WHEREAS, the attached Executive Session Minutes have been reviewed as to form and accuracy;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, as follows:

1. The following Executive Session Minutes are approved:

#### **February 3, 2016 Special Meeting**

2. The Township Clerk shall maintain same as an official record.

A motion was made by Council Member Maruca, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent, to approve the following Resolution.

**RESOLUTION APPROVING  
EXECUTIVE SESSION MINUTES**

WHEREAS, the attached Executive Session Minutes have been reviewed as to form and accuracy;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, as follows:

1. The following Executive Session Minutes are approved:

**February 9, 2016 Regular Meeting**

2. The Township Clerk shall maintain same as an official record.

A motion was made by Council Member Manforti, seconded by Council Member Maruca, and carried with Council Members Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and Council Member Carr abstaining, and with Council Members Hill and Wittmann absent, to approve the following Resolution.

**RESOLUTION APPROVING  
EXECUTIVE SESSION MINUTES**

WHEREAS, the attached Executive Session Minutes have been reviewed as to form and accuracy;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, as follows:

1. The following Executive Session Minutes are approved:

**March 22, 2016 Regular Meeting**

2. The Township Clerk shall maintain same as an official record.

No other business appearing, the meeting was adjourned at 8:22 P. M., with Council Members Carr, Geoghegan, Manforti, Maruca, and Council President Kubiell voting yes, and with Council Members Hill and Wittmann absent.

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BRIAN S. KUBIEL, COUNCIL PRESIDENT

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J. MARK MUTTER, TOWNSHIP CLERK