

May 24, 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 6:00 PM.

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

Council President Kubiell 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	- Present
Council Member Maruca	- Absent
Council Member Wittmann	- Present
Council Vice-President Manforti	- Present
Council President Kubiell	- Present

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

APPROVAL OF MINUTES

A motion was made by Council Member Manforti, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Hill, Manforti, Wittmann, and Council President Kubiell voting yes, and with Council Member Maruca absent, to approve the Minutes of the **Regular Meeting of May 10, 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 Hill, seconded by Council Member Manforti, and carried with Council Members Carr, Hill, Geoghegan, Manforti, Wittmann, and Council President Kubiell voting yes, and with Council Member Maruca absent, to make the following honoring proclamations a part of the Minutes.

Mayor Kelaher and Council presented commendation and proclamation to Alyssa Lego who was present.

Township of Toms River

Proclamation

May 24, 2016

WHEREAS, Alyssa Lego, a 13 year old Toms River resident won the title of USA National Miss New Jersey Jr. Teen; and

WHEREAS, Alyssa Lego has toured the State of New Jersey to represent her crown and the Garden State making countless appearances, and will compete in the USA National Miss Jr. Teen this July in Boca Raton, Florida; and

WHEREAS, Alyssa Lego has received a well-deserved title: she supports many New Jersey based charities, is a spokesperson and ambassador for Special Olympics New Jersey, participates in fundraising benefiting children with special needs, volunteers at K. Hovnanian Children's Hospital, and volunteers her time to numerous foundations; and

WHEREAS, Alyssa Lego has contributed about 200 community service hours a year and has received the Presidential Volunteer Service award in 2014, 2015 and 2016; additionally she began her own charity and is a straight "A" student; and

WHEREAS, Alyssa Lego is an excellent role model to young students and a positive role model in our community.

NOW, THEREFORE, I, Thomas F. Kelaher, Mayor of the Township of Toms River, and the Toms River Township Council Members, the County of Ocean and State of New Jersey, hereby honor Alyssa Lego for her title USA National Miss New Jersey Jr. Teen.

Mayor Thomas F. Kelaher

Brian S. Kubiel
Council President

George E. Wittmann, Jr.

Maurice B. Hill

Jeffrey J. Carr

Alfonso J. Manforti

Maria L. Maruca

Kevin M. Geoghegan

Representatives from Toms River Business Improvement District, Chamber of Commerce and Ocean County Library were present and received proclamation from Mayor Kelaher and Council.

Township of Toms River

Proclamation

May 24, 2016

WHEREAS, the Township of Toms River desires to enter into a partnership with the Toms River Business Improvement District and The Toms River-Ocean County Chamber of Commerce to support the Ocean County Library's Summer Reading Program; and

WHEREAS, The Library's Summer Reading for 2016 is a Sports/Fitness/Wellness Theme titled "On Your Mark, Get Set... Read"; and

WHEREAS, The Library plays an integral part in transforming the lives of our residents through the power of informational needs as well as access to new technologies; and

WHEREAS, because of the importance of Sports, Fitness & Wellness to all the Citizens of Toms River, the township supports the theme for the summer of 2016; and

WHEREAS, because of the importance of reading the Township of Toms River encourages all children and adults to participate in this year's Summer Reading Program.

NOW, THEREFORE, I, Thomas F. Kelaheer, Mayor of the Township of Toms River, and the Toms River Township Council Members, the County of Ocean and State of New Jersey, hereby proclaim the summer of 2016 from June through September as "Sports, Fitness & Wellness Summer in Toms River".

Mayor Thomas F. Kelaheer

**Brian S. Kubiel
Council President**

George E. Wittmann, Jr.

Maurice B. Hill

Jeffrey J. Carr

Alfonso J. Manforti

Maria L. Maruca

Kevin M. Geoghegan

Township Clerk Mutter explained this Ordinance was referred to Planning Board which approved its adoption by Council.

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 Hill, seconded by Council Member Carr, and carried that an Ordinance entitled:

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF BLOCK 1081.03, LOT 6 (2412 FIRST AVENUE), IN THE TOWNSHIP OF TOMS RIVER, NOT NEEDED BY THE TOWNSHIP, TO NORTHERN OCEAN HABITAT FOR HUMANITY, (PURSUANT TO N.J.S.A. 40A:12-21(I), FOR THE PURPOSE OF CONSTRUCTING HOUSING FOR LOW OR MODERATE INCOME PERSONS,

FAMILIES, OR HANDICAPPED PERSONS, AND PRESERVATION OF SAME AS AN AFFORDABLE HOUSING UNIT

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 Kubiell 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 Hill, seconded by Council Member Carr and carried, the public hearing was closed.

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

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 Wittmann, 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, SUPPLEMENTING SECTION 477-61 (SCHEDULE III: NO STOPPING OR STANDING) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE, TO ESTABLISH AND MEMORIALIZE NO STOPPING OR STANDING RESTRICTIONS ON NEW JERSEY STATE HIGHWAY ROUTE 35 NORTH AND ROUTE 35 SOUTH

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 Kubiell 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 Hill, seconded by Council Member Carr and carried, the public hearing was closed.

Council Member Wittmann 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	- Yes
Council Member Maruca	- Absent
Council Member Wittmann	- Yes
Council Vice-President Manforti	- Yes
Council President Kubiell	- Yes

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 Manforti to approve this Ordinance on first reading.

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTIONS 477-18 (IMMEDIATE DEPOSIT OF COIN; CHARGES), 477-65 (SCHEDULE VII:ON STREET METERED PARKING), AND 477-66 (SCHEDULE VIII; OFF-STREET METERED PARKING) OF THE TOWNSHIP CODE TO REVISE PARKING FEES TO COVER THE COST OF THE PARKING AUTHORITY'S INFRASTRUCTURE IMPROVEMENTS

Council Member Wittmann questioned this item. Township Administrator Shives responded.

There was no second of the motion to approve on first reading. As such, the Ordinance was not approved on first reading as the motion to approve died for lack of a second.

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

A motion was made by Council Member Hill, seconded by Council Member Wittmann and carried, to **approve** the following Resolution.

RESOLUTION PROVIDING FOR EMERGENCY TEMPORARY APPROPRIATIONS

May 24, 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:

<i>Description</i>	<i>5/24/2016 Temp Bdgt</i>
ADMIN SALARY & WAGES	230,000.00
Public Defender O/E	39,000.00
Prosecutor - Other Expense	87,000.00
ADMINISTRATION O/E	7,500.00
PURCHASING SALARY & WAGES	92,106.25
PURCHASING O/E	29,000.00
VETERANS COMMISSION	510.00
Off. Of MAYOR SALARIES & WAGES	102,000.00
OFFICE OF THE MAYOR O/E	41,000.00
COUNCIL OFF. SALARIES & WAGES	85,807.50
OFFICE OF THE COUNCIL-O/E	9,000.00
IT SALARY & WAGES	187,000.00
IT DEPT O/E	450,000.00
EMG MGMT SALARY & WAGES	72,625.00
EMERGENCY MGMT O/E	10,000.00
	7,000.00
	7,000.00
EMERGENCY MGMT GRANT	
MASS TRANSPORTATION	5,000.00
Shared Services-Berkeley Twp (Construction)	30,600.00
Const. & Insp Svcs Salaries and Wages	1,656,840.00
RELOCATION ASST. OTHER	6,000.00
Construction & Inspection Svcs O/E	300,000.00
Code Enforcement Salaries and Wages	240,202.50
Code Enforcement O/E	1,200.00
HSG/PROP MAINT SALARY & WAGES	0.26
HSG/PROP MAINTENANCE O/E	3,300.00
DEMOL SALARY & WAGES	200.00
DEMOLITION OF BLDS O/E	9,000.00
PAYMENT OF BOND PRINCIPAL	9,394,415.00
INTEREST ON BONDS	2,197,212.40
INTEREST ON NOTES	749,234.00
Payment of BANs and Cap Notes	0.00
Director of Finance Salaries and Wages	472,633.13
Annual Audit	67,000.00
DIR OF FINANCE O/E	80,000.00
DIV OF REV COLL SALARY & WAGES	344,256.25
DIV OF REVENUE COLLECT-O/E	140,000.00
EMP GROUP INSURANCE	9,350,000.00
OTHER INSURANCE	1,500,000.00
WORKERS COMPENSATION INSURANCE	2,000,000.00
HEALTH BENEFIT WAIVER	420,000.00
UNEMPLOYMENT INSURANCE	50,000.00
USE OF SURPLUS-LFB-EMPLOYEE GROUP	420,000.00
FIRST AID SQUADS	75,000.00
CONDO SERVICES ACT	700,000.00
SOLID WASTE COLL-APARTMENT CMP	350,000.00
CONTINGENT FUND	5,000.00
CULTURAL AFFAIRS O/E	10,500.00
BEACHFRONT SALARY & WAGES	550,000.00
BEACHFRONT O/E	50,000.00
PRKS/PLYGRDS SALARY & WAGES	210,000.00
PARKS & PLAYGROUNDS O/E	23,000.00
RECREATION SALARIES & WAGES	219,511.88
RECREATION O/E	9,000.00

PERSONNEL SALARIES & WAGES	134,511.88
PERSONNEL O/E	14,000.00
MUNICIPAL ALLIANCE SALARIES AND WAGES	5,575.00
MUN ALLIANCE GRT-MATCH	
HEALTH DEPT SALARY & WAGES	2,700.00
HEALTH DEPT O/E	350,000.00
YOUTH ADVS SALARY & WAGES	175,871.25
YOUTH ADVISORY O/E	9,500.00
SENIOR CENTER GRANTS	
SENIOR CENTER S & W	76,160.00
SEN CTR MTH - SALARIES	218,600.00
OCN CTY SEN CTR-CAREGIVERS	58,940.00
SEN CTR MTH - FRINGE	103,642.00
SEN CTR MTH - OTHER EXPENSE	69,200.00
SEN CTR-PARTICIPANT O/E	3,500.00
SEN CTR-Transportation	
OC SNR CTR CAREGIVER O/E	114,958.00
OC SNR CTR CAREGIVER PARTCPTN	800.00
MUN CLERK SALARIES & WAGES	463,160.13
MUNICIPAL CLERK O/E	38,000.00
ELECTIONS SALARIES AND WAGES	12,000.00
ELECTIONS O/E	11,000.00
REGISTRAR SALARIES AND WAGES	106,971.07
REGISTRAR O/E	6,500.00
RENT LVL BD SALARIES AND WAGES	7,758.25
RENT LEVELING BD O/E	4,000.00
Labor Counsel	5,000.00
LEGAL SERVICES O/E	260,000.00
LAW DEPT SALARIES AND WAGES	410,000.00
LAW DEPARTMENT O/E	24,000.00
ENGINEERING-SALARIES AND WAGES	466,312.50
TAX MAP PRINTING AND MAINTENANCE	2,000.00
ENGINEERING O/E	18,000.00
NJDEP Emergency Sand for Dune Recl	726,121.60
Storm Water Management O/E	
70,000.00	
Storm Water Mgmt Salaries and Wages	71,187.50
PLANNING BOARD SALARIES	56,500.00
PLANNING BOARD O/E	24,000.00
BOA SALARIES & WAGES	82,575.00
BOARD OF ADJUSTMENT O/E	24,000.00
DIV ECONOMIC DVLPMNT SALARIES	94,000.00
DIV ECONOMIC DEVELOPMENT O/E	3,700.00
LAND USE REG SALARIES	152,750.00
LAND USE REGULATION O/E	3,050.00
MUN CT - SALARY & WAGES	631,405.00
MUNICIPAL COURT O/E	39,000.00
CSO-SALARIES & WAGES	1,117,341.25
CSO-O/E	176,000.00
Shared Svcs-Lavallette-Spillman	5,000.00
Shared Svcs-Fire Commissioners-Spillman	34,178.00
POLICE SALARY & WAGES	16,869,025.00
POLICE DEPT O/E	385,000.00
ENV HLTH SVCS SALARIES	574,551.38
ENVIRONMENTAL HLTH SVCS O/E	220,000.00
PUBLIC LANDS SALARIES AND WAGES	438,366.13
PUBLIC LANDS O/E	28000.00
CAPITAL	
CAPITAL IMPROVEMENT	600,000.00
PURCHASE POLICE CARS	250,000.00
FAIR SHARE HOUSING	10,000.00
LANDFILL REMEDIATION	70,000.00
CAPITAL PRJ-COMPUTER EQUIP	60,000.00
DCRP	30,000.00

SOCIAL SECURITY SYST	2,800,000.00
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	4,059,340.00
RES FOR TAX APPEALS FOR FUTURE GRANTS	
TAX ASSESSOR SALARIES AND WAGES	462,549.09
TAX ASSESSOR O/E	30,000.00
UTILITY/MISC.OTHER	0.00
TELEPHONE	195,000.00
ELECTRIC	675,000.00
NATURAL GAS	115,000.00
HEATING OIL	15,000.00
SEWER	38,000.00
WATER	44,000.00
STREET LIGHTING	1,050,000.00
TIPPING FEES/GARBAGE	1,400,000.00
TIP FEES/PAINT/STUMP	80,000.00
LNDFIL-PL 1981,C2781	57,000.00
RECYCLING TAX	100,000.00
HOST COMMUNITY TAX	154,000.00
LANDFILL CLOSURE ESC	640,000.00
GASOLINE OTHER EXPENSE	1,125,000.00
Vehicle Maintenance Salaries & Wages	850,336.49
Vehicle Maintenance Other Expenses	660,000.00
ROAD DEPT SALARIES AND WAGES	2,391,000.00
ROAD DEPARTMENT O/E	902,000.00
TR Bd of Ed S.S. - Trash Removal	159,062.50
Shared Services OCC-Trash Removal	30,500.00
Shared Svcs Fire Dist 1-Radio Repar	72,812.50
GARBAGE COLLECTION SALARY & WAGES	1,666,500.00
Garbage Collection O/E	45,800.00
RECYCLING Salaries and Wages	1,578,562.50
Recycling O/E	41,000.00
Clean Communities	257,441.64
Final Totals	89,057,494.20
Bey Lea Salaries and Wages	348,000.00
Golf Course Depart. Expenses	548,978.25
Golf Course Other Expense	176,408.75
Final Totals	1,073,387.00
Winding River Salaries and Wages	343,250.00
Capital Improvements	500.00
Winding River Other Expenses	472,015.63
Final Totals	815,765.63

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

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

A motion was made by Council Member Hill, seconded by Council Member Carr, and carried with Council Members Carr, Hill, Geoghegan, Manforti, Wittmann, and with

Council President Kubiel voting yes, and with Council Member Maruca absent, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP OF TOMS RIVER
AUTHORIZING THE CIRCULATION OF A PRELIMINARY
OFFICIAL STATEMENT AND FINAL OFFICIAL
STATEMENT IN CONNECTION WITH THE SALE OF THE
TOWNSHIP'S BOND ANTICIPATION NOTES AND SPECIAL
EMERGENCY NOTES IN AN AGGREGATE AMOUNT NOT
EXCEEDING \$26,052,622 AND APPROVING A CONTINUING
DISCLOSURE CERTIFICATE WITH RESPECT TO SAID
NOTES OF THE TOWNSHIP, AND AUTHORIZING AND/OR
RATIFYING OTHER ACTIONS IN CONNECTION
THEREWITH**

WHEREAS, *the Township Council of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), has previously adopted a bond ordinance numbered 4398-13 on April 23, 2013 as amended (collectively, the "Sandy Ordinance"), a resolution adopted on November 16, 2012, as amended on March 12, 2013 and May 13, 2014 (collectively, the "SEN Resolution") and a bond ordinance numbered 4507-16 adopted on April 26, 2016 ("Ordinance 4507-16", and together with the Sandy Ordinance, the, "Ordinances") which authorized, respectively, the issuance of bond anticipation notes and special emergency notes; and*

WHEREAS, *the Township intends to issue its Bond Anticipation Notes on a tax-exempt basis in an aggregate amount not to exceed \$25,002,622 (the "BANs") under the Ordinances for the purpose of refunding a portion of the Township's \$13,909,200 Bond Anticipation Notes which were issued on June 23, 2015 and mature on June 22, 2016, and used to refinance certain capital improvements and to finance the cost of new and additional capital improvements; and*

WHEREAS, *the Township intends to issue its Special Emergency Notes on a tax-exempt basis, in an aggregate amount not to exceed \$1,050,000 (the "SENs") under the SEN Resolution for the purpose of refunding a portion of the Township's \$1,575,000 Special Emergency Notes, which were issued on June 23, 2015 and mature on June 22, 2016 and used to provide funds to refinance the costs of certain expenses incurred by the Township as a result of Hurricane Sandy, as described in the Resolution; and*

WHEREAS, *all matters pertaining to the sale of the BANs and SENs (collectively, the "Notes") have been delegated by the Ordinances and the SEN Resolution, respectively, to the Chief Financial Officer of the Township; and*

WHEREAS, *in connection with the offering and sale of the Notes, the Township intends to distribute a Preliminary Official Statement and final Official Statement setting forth certain information relating to the Township and the Notes, and the Township also intends to enter into a Continuing Disclosure Certificate.*

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

SECTION 1. Authorization for Official Statement. *The distribution by the Township, and its financial advisor, of the Preliminary Official Statement relating to the Notes (a draft of which is attached hereto as **Exhibit A** and shall be filed with the records of the Township) is hereby approved in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer executing the same may approve, such approval to be evidenced by such Township officer's execution thereof. The Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement "final" within the meaning of Rule 15c2-12 of the Rules of the Securities and Exchange Commission and to execute and deliver a certificate to that effect. The Chief Financial Officer is hereby authorized to approve the contents and terms of the final Official Statement in respect of the aforementioned notes in substantially the form of the Preliminary Official Statement. The Chief Financial Officer is hereby authorized to sign such Official Statement on behalf of the Township, in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer executing the same may approve, such approval to be evidenced by such Township officer's execution thereof.*

*SECTION 2. Continuing Disclosure. The form of the Continuing Disclosure Certificate in substantially the form attached hereto as **Exhibit B** is hereby approved, and the execution of the Continuing Disclosure Certificate by Chief Financial Officer of the Township is hereby authorized. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the Township and dated the date of issuance and delivery of the Notes, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the Township to comply with the Continuing Disclosure Certificate shall not be considered a default on the Notes; however, any holder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.*

Section 3. Further Action. Any matter relating to the award, sale or execution of the Notes which has been delegated by the Ordinances and the SEN Resolution to the Chief Financial Officer may be performed by said officer. On behalf of the Township, the appropriate representatives of the Township are authorized and directed to take all steps which are necessary or convenient to effectuate the terms of this Resolution with respect to the issuance, sale and delivery of the Notes, including, but not limited to the execution of all tax certificates and other closing documentation. All such actions heretofore taken are hereby ratified, approved and confirmed.

Section 4. Effective Date. This Resolution shall take effect upon adoption.

CERTIFICATE

I, J. Mark Mutter, Clerk of the Township of Toms River, in the County of Ocean, New Jersey, HERBY CERTIFY that the foregoing annexed extract from the minutes of the meeting of the governing body of the Township duly called and held on May __, 2016 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2016.

[SEAL]

J. MARK MUTTER, Township Clerk

EXHIBIT A

EXHIBIT B

“SEE ATTACHMENTS”

CONSENT AGENDA

Council President Kubieli 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 Hill, seconded by Council Member Carr, and carried with Council Members Carr, Geoghegan, Hill, Manforti, Wittmann, and Council President Kubieli voting yes, and with Council Member Maruca absent, to approve all the following items listed on the Consent Agenda, except item **F, G, I,** and **L,** which were done separately.

RESOLUTION

MAY 24, 2016

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTIES FOR THE YEAR (S) INDICATED, DUE TO THE PROPERTY(IES) HAD THE NEW JERSEY STATE HOMESTEAD REBATE APPLIED TO THE ACCOUNT, AND THE PROPERTIES ARE DAV EXEMPT, AND OR WERE ALSO GRANTED A DAV EXEMPTION,

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>
FANNING, TIMOTHY	192.01	4	2016/2	103.65
GIAMEO, JACK & BARBARA	135.09	103	2016/2	431.89
ROSA, JAVIER E.	1500.12	9	2016/1	1620.57
ROSA, JAVIER E.	1500.12	9	2016/2	1620.57
RYAN, THOMS J.	826	23	2016/2	179.05
TOTALS:				\$3995.73

- 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

MAY 24, 2016

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTIES FOR THE YEAR (S) INDICATED, DUE TO AN ERRONEOUS APPLICATION OF A CHECK, WHICH SHOULD HAVE BEEN DELIVERED TO THE BUILDING DEPARTMENT CHECK NO. 23888 IN THE AMOUNT OF \$740.00. THE AMOUNT HAS TO NOW BE REFUNDED BACK TO THE BUILDING DEPARTMENT.

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:

NAME	BLOCK	LOT	Qual,Year	Amount
TOWNSHIP OF TOMS RIVER CURRENT	1501.15	27	2016/2	740.00
FUND (BUILDING DEPT)				
TOTALS:				740.00

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

MAY 24, 2016

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO ERRONEOUS TAX PAYMENT(S) AND OR DUPLICATE TAX PAYMENT(S).

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:

NAME	BLOCK	LOT	Qual,Year	Amount
STEINBERGER, MICHELLE	412.41	85	2016/3	496.22
			2016/4	1678.51

WELLS FARGO HOME MORTGAGE	235.26	18	2016/2	2039.61
TOTALS				\$4214.34

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 AWARD OF CONTRACT TO HUNTER JERSEY PETERBILT, AS THE BIDDER PROVIDING THE HIGHEST DISCOUNT OFF OF THE CURRENT PRICE LIST (25%), FOR THE SUPPLY OF PETERBILT REPAIR PARTS FOR THE DEPARTMENT OF PUBLIC WORKS

MAY 24, 2016

WHEREAS, bids were received on May 4, 2016 for the Supply of Peterbilt Repair Parts for the Department of Public Works; and

WHEREAS, bids were received, as follows:

Hunter Jersey Peterbilt
524 Monmouth Road
Clarksburg, N.J. 08510. . . .

Discount off current Peterbilt Repair Parts List: 25%

Manufacturer Bid: Peterbilt

Percent discount for payment within 30 days: -

Availability of Parts after Receipt of Order: -

Cambria Truck Centers
116 Talmadge Road
Edison, NJ 08817

Discount off current Peterbilt Repair Parts List: 15%

Manufacturer Bid: Peterbilt

Percent discount for payment within 30 days: 0%

Availability of Parts after Receipt of Order: 1-4 days depending on stock of parts.

WHEREAS, the bids have been reviewed by the Purchasing Division, and they have recommended that the award of contract be made to Hunter Jersey Peterbilt, who provided the highest discount off of the current price list, as stated above;

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 Peterbilt Repair Parts for the Department of Public Works to Hunter Jersey Peterbilt, as stated above, who provided the highest discount off of the current price list. The contract term is for two (2) years, commencing June 24, 2016 through June 23, 2018, with the option to extend for up to two (2) additional one (1) year terms, pursuant to N.J.S.A. 40A:11-15. This will be an

open-ended contract 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. This contract is subject to all terms and conditions of the bid specifications.

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) Public Works Department
- e) Aforementioned bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Hunter Jersey Peterbilt, 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 J. MANOLIO
CHIEF FINANCIAL OFFICER

Dated: May 24, 2016

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RESCINDING AWARD OF
CONTRACT FOR ITEM NOS. 50, 51, AND 59C TO THE LIBERTY STORE, INC., AND ITEM
NO. 49 TO KEYPORT ARMY NAVY, WHICH WERE AWARDED BY RESOLUTION DATED
APRIL 26, 2016, FOR THE SUPPLY OF WORK, SPORT AND LIFEGUARD CLOTHING,
AND AWARDED ITEM NO. 50 TO KEYPORT ARMY NAVY**

MAY 24, 2016

WHEREAS, resolution of the Township Council of the Township of Toms River dated April 26, 2016, awarded open-ended contracts for the Supply of Janitorial Supplies to The Liberty Store, Inc., for Item Nos. 50, 51, and 59C, Inc. and to Keyport Army Navy, for Item No. 49, for a term commencing April 24, 2016 through April 23, 2016; and

WHEREAS, at the request of The Liberty Store, Inc., Item Nos. 50, 51, and 59C are being rescinded; and

WHEREAS, Item No. 49 was awarded to Keyport Army Navy incorrectly, and is being rescinded and will not be rebid; and

WHEREAS, Keyport Army Navy is being awarded Item No. 50; and

WHEREAS, Item Nos. 51 and 59C will not be rebid; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to effectuate the changes, as stated above;

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. At the request of the vendor, The Liberty Store, Inc., it hereby rescinds the award of contract for Item Nos. 50, 51, and 59C, which items were awarded by resolution dated April 26, 2016 for the Supply of Work, Sport, and Lifeguard Clothing.

2. It hereby rescinds the award of contract for Item No. 49, which was incorrectly awarded to Keyport Army Navy by resolution dated April 26, 2016.

3. It hereby awards an open-ended contract for Item No. 50 for the Supply of Work, Sport, and Lifeguard Clothing to Keyport Army Navy.

4 Item Nos. 49, 51, and 59C will not be rebid.

5. This will be an open-ended contract 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.

6. All other terms and conditions of the resolution dated April 26, 2016 remain unchanged, and in full force and effect. Term of Contract: April 24, 2016 through April 23, 2017.

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
- e) Recreation Department
- f) Office of Emergency Management
- g) Public Works Department
- h) Parks, Buildings and Grounds
- i) Keyport Army Navy
PO Box 985
Brick, NJ 08723
- j) The Liberty Store, Inc.
5 East Genesee Street
Auburn, NY 13021

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Keyport Army Navy for Item No. 50, are 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: May 24, 2016

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RESCINDING AWARD OF
CONTRACT FOR BULK ITEM NOS. 5A AND 21A, WHICH WERE AWARDED TO PRIME
LUBE INC., BY RESOLUTION DATED JANUARY 26, 2016, FOR THE SUPPLY OF MOTOR
OILS, ANTIFREEZE, GREASES AND LUBRICANTS, AND AUTHORIZING THE
PURCHASING DIVISION TO ADVERTISE FOR REBID OF BULK ITEM NOS. 5A AND 21A

MAY 24, 2016

WHEREAS, resolution of the Township Council dated January 26, 2016, awarded an open-ended contract for the Supply of Motor Oils, Antifreeze, Greases and Lubricants to Prime Lube, Inc., for bulk Item Nos. 5A and 21A, for a term commencing on Date of Award through August 21, 2016; and

WHEREAS, the Township has been informed by Prime Lube, Inc., that Exxon Mobil has removed them as a distributor of these two bulk items, Item Nos. 5A and 21A, and they will no longer be able to honor the balance of their contract; and

WHEREAS, the Purchasing Division has requested authorization to rescind the award of contract to Prime Lube, Inc., for bulk Item Nos. 5A and 21A, and advertise for rebid of these items; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to rescind the award of contract to Prime Lube, Inc., for bulk Item Nos. 5A and 21A, and authorize the Purchasing Division to advertise for rebid of these items;

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 rescinds the award of contract for bulk Item Nos. 5A, and 21A, which items were awarded by resolution dated January 26, 2016 to Prime Lube, Inc., for the Supply of Motor Oils, Antifreeze, Greases and Lubricants.

2. It hereby authorizes the Purchasing Division to advertise for rebid of Item Nos. 5A and 21A.

3. All other terms and conditions of the resolution dated January 26, 2016 remain unchanged, and in full force and effect.

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) Public Works Department
- e) Prime Lube Inc.
800 Roosevelt Avenue
Carteret, NJ 07008

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A PROFESSIONAL ENGINEERING SERVICE CONTRACT TO ALAIMO GROUP, FOR THE NORTH BEACH ROADS – STORM SEWER REHABILITATION PROJECT, IN THE AMOUNT NOT TO EXCEED \$120,000.00, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO AN AGREEMENT WITH THE ALAIMO GROUP

MAY 24, 2016

WHEREAS, the Alaimo Group, submitted a conforming proposal for professional inspection and general engineering services, which was opened and read on December 1, 2015; and

WHEREAS, resolution of the Township Council dated March 8, 2016 (Part XXI), authorized the engineering firm of the Alaimo Group to be put on an approved list for professional pool inspection and general engineering services from April 1, 2016 through December 31, 2016, at the following rates:

Principal Engineer	\$148.00/hr.
Project Manager (PE)	\$128.00/hr.
Design Engineer (EIT)	\$107.00/hr.
Design Engineer	\$ 97.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hr.
Senior Designer	\$ 77.00/hr.
Computer Technician	\$ 77.00/hr.
Engineering Technician	\$ 77.00/hr.
Survey Technician	\$ 66.00/hr.
Senior CADD Operator	\$ 77.00/hr.
CADD Operator	\$ 61.00/hr.
Field Survey Crew	\$138.00/hr.
Senior Inspector	\$ 87.00/hr.
Inspector Level 1	\$ 51.00/hr.
Inspector Level 2	\$ 71.00/hr.
Secretary/Clerical	\$ 33.00/hr.
Delivery	\$ 33.00/hr.
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost; and

WHEREAS, the Township is in need of assistance to assist the Engineering Division in the preparation of plans for the replacement of various deteriorated storm sewers in the North Beaches (North Beach Roads – Storm Sewer Rehabilitation Project); and

WHEREAS, the engineering firm of the Alaimo Group has submitted a Revised Proposal dated May 2, 2016 for these services; and

WHEREAS, the proposal has been reviewed by the Township Engineer, and recommendation has been made to award a contract for professional services to the Alaimo Group, for the North Beach Roads – Storm Sewer Rehabilitation Project, in the amount not to exceed \$120,000.00;

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. It hereby awards a Professional Engineering Services contract to the Alaimo Group, for the North Beach Roads – Storm Sewer Rehabilitation Project, in the maximum amount not to exceed \$120,000.00, at the following rates:

Principal Engineer	\$148.00/hr.
Project Manager (PE)	\$128.00/hr.
Design Engineer (EIT)	\$107.00/hr.
Design Engineer	\$ 97.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hr.
Senior Designer	\$ 77.00/hr.
Computer Technician	\$ 77.00/hr.
Engineering Technician	\$ 77.00/hr.
Survey Technician	\$ 66.00/hr.
Senior CADD Operator	\$ 77.00/hr.
CADD Operator	\$ 61.00/hr.
Field Survey Crew	\$138.00/hr.
Senior Inspector	\$ 87.00/hr.
Inspector Level 1	\$ 51.00/hr.
Inspector Level 2	\$ 71.00/hr.
Secretary/Clerical	\$ 33.00/hr.

Delivery	\$ 33.00/hr.
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost; and

2. Funds in the maximum amount not to exceed \$120,000.00, are available in Account No. X-04- -233-002 - \$45,000.00, and Account No. X-04- -224-002 - \$75,000.00. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. The Mayor is authorized to execute and the Township Clerk to attest to a contract with the Alaimo Group in connection with this project. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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) Township Engineer
- e) Alaimo Group
200 High Street
Mount Holly, NJ 08060

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 1 – WITH PETER V. PIROZZI GENERAL CONTRACTING LLC, FOR THE TOMS RIVER TOWN HALL WINDOW REPLACEMENT PROJECT, FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$75,000.00, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$579,388.00

MAY 24, 2016

WHEREAS, resolution of the Township Council dated July 28, 2015, authorized an award of contract to Peter V. Pirozzi General Contracting, LLC, as low bidder meeting all the specifications, for the Toms River Town Hall Window Replacement Project, in the amount of \$504,388.00; and

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. Change Order No. 1 – for the Toms River Town Hall Window Replacement Project with Peter V. Pirozzi General Contracting, LLC, to wit:

DESCRIPTION OF CHANGE:

Asbestos abatement of all remaining windows in Town Hall, as per McCabe Environmental Services Specifications dated January 4, 2016.

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	X
Total Extras This C.O.	\$75,000.00	X
Total Supplementary This C.O.	X	X
Total This C.O.	\$75,000.00	X

Previous Change Orders	X	X
Total Change Orders to Date	\$75,000.00	X
Net Change in Contract	\$75,000.00	X
ORIGINAL CONTRACT BID PRICE		\$504,388.00
NEW CONTRACT PRICE		\$579,388.00

be and the same is hereby ratified and confirmed.

2. Funds in the amount of \$75,000.00, are available in Account No. X-04- -219-001. 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) Chief Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) Peter V. Pirozzi General Contracting Inc.
64 Sand Bridge Road
Pittsgrove, NJ 08318

CERTIFICATION

THIS IS TO CERTIFY that the funds for Change Order No. 1 with Peter V. Pirozzi General Contracting LLC, in the amount not to exceed \$75,000.00 are available in Account No. X-04- -219-001.

The actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. The purchase orders will encumber the funds for the above account at that time.

CHRISTINE J. MANOLIO
CHIEF FINANCIAL OFFICER

Dated: May 24, 2016

RESOLUTION
May 24, 2016

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

- | | |
|-----------------------------------|--|
| MESSAGE LICENSE
#36-16 | Huilai Sun- Asian
1120 Aspen Drive
Toms River, NJ 08753 |
| MESSAGE LICENSE
#38-16 | Xiao Ru Guan
1120 Aspen Drive
Toms River, NJ 08753 |
| MESSAGE LICENSE | Quan Dong |

#39-16

1120 Aspen Drive
Toms River, NJ 08753

MASSAGE LICENSE
#40-16

Bella Halpern
135 Oceana Dr
East Brooklyn, NY 11235

MASSAGE LICENSE
#41-16

Aina Kossayeva
2350 Ocean Ave
Brooklyn, NY 11223

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 hereby 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. Applicant listed above**

RESOLUTION

May 24, 2016

WHEREAS, the following application has been filed for TAXI DRIVER / TAXI CAB / TAXI CAB COMPANY in accordance with Chapter 457.

<u>Name</u>	<u>Type of License</u>	<u>Taxi Company</u>
27-16 Baljinder Singh	Taxi Driver	EZ Taxi
28-16 Daniel Pogue	Taxi Driver	Toms River Taxi
29-16 Kimberly Hinds	Taxi Driver	Toms River Taxi

WHEREAS, the Township Clerk has reported to this Council that said applications and requirements are in order;

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. That the Clerk of this Township is hereby authorized and directed to issue the TAXI LICENSE to the applicants listed above, in accordance with Chapter 457 (Taxicab and Taxicab Drivers) the “Code of the Township of Toms River”.

2. The applicant is required to conform to all provisions of Chapter 457 (Taxi cabs and Taxi Drivers)
3. The Township Clerk shall send a certified copy of Resolution to the:

- a. Police Department
- b. Licensee (s)
- c. Clerk's File
- d. Law Dept.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 710, 174.02 (205 LONGFELLOW AVENUE)

MAY 24, 2016

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision, known as Block 710, Lots 174.02

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$10,700.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$267.50 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 Rakesh Patel, 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. Rakesh Patel
220 Emerson Court
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AWARDING CONTRACTS FOR CERTAIN SERVICES EXEMPT FROM THE BIDDING PROCESS COMMENCING JUNE 1, 2016 UP TO AND INCLUDING DECEMBER 31, 2016

MAY 24, 2016

WHEREAS, on January 4, 2016, there existed a need for the continued extension of certain contracts exempt from public bidding which were extended to January 26, 2016 by way of resolution: and

WHEREAS, on January 26, 2016, there existed a need for the continued extension of certain contracts exempt from public bidding which were extended to March 31, 2016 by way of resolution; and

WHEREAS, on April 1, 2016, there existed a need for the continued extension of certain contracts exempt from public bidding which were extended to May 31, 2016 by way of resolution; and

PART I

WHEREAS, there exists a need for the retention of pool professional legal services for Conflict Municipal Public Defender Services from June 1, 2016 up to and including December 31, 2016; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on March 31, 2016:

1. Charles P. Tivenan, Esq. 426 Herbertsville Road, Brick, N.J. 08724
2. Brian E. Rumpf, Esq., 11 Leifried Lane, Tuckerton, New Jersey 08087
3. Dasti, Murphy, McGuckin, Ulaky, Koutsouris, and Connors, 620 West Lacey Road, P.O. Box 1057, Forked River, N.J. 08732
4. Brian J. Di Stefano, L.L.C., 1 Pelican Drive, 2nd Floor, Suite 6, Bayville, N.J. 08721
5. Mark A. Schneider, Esq., 55 Manchester Ave., P.O. Box 258, Forked River, N.J. 08731; and

WHEREAS, Brian J. Di Stefano, L.L.C., is appointed as the Public Defender in Berkeley Township and is appointed as a conflict public defender in the South Toms River Borough, Brick Township, Barnegat Township, and Harvey Cedars, demonstrating wide experience in this field; and

WHEREAS, Mark A. Schneider, Esq., has been appointed as the Public Defender for Lacey Township and Little Egg Harbor, and has been appointed as a Deputy Public Defender in Jackson Township, demonstrating wide experience in this field;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with Brian J. Di Stefano, Esq., L.L.C., and Mark A. Schneider, Esq. as Pool Conflict Municipal Public Defenders from June 1, 2016 up to and including December 31, 2016, at \$350.00 per court session, not to exceed a total maximum amount of \$5,000.00 for CY16, as a combined total for both firms, contingent upon the execution of a contract, the availability of funds and the adoption of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The Municipal Court Administrator has the discretion to appoint either firm for each case;

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART II

WHEREAS, this Council finds that there is a need for emergency veterinarian services from June 1, 2016 up to and including December 31, 2016; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on March 23, 2016:

1. *Pet Services of N.J. d/b/a Toms River Animal Hospital, 769 Route 37 West, Toms River, N.J. 08755; and*

WHEREAS, Pet Services of N.J. d/b/a Toms River Animal Hospital, has provided the Township with competent and professional services for the past several years;

NOW, THEREFORE, BE IT RESOLVED, *by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with Pet Services of N.J. d/b/a Toms River Animal Hospital, from June 1, 2016 up to and including December 31, 2016, not to exceed a total maximum amount of \$8,000.00 for CY16, in Account No. 6-13- -911-011 - \$7,000.00, and Account No. 6-01- -P45-534 - \$1,000.00 for CY 16, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY 16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk at the following rates:*

All services are fee based, not hourly. Expenses are not charged in addition to fees. A 20% discount will be applied to all services (excluding food & medications). Examples of routine fees include: Exam/consultation: \$72.50, K-9 DHPP \$28.10, K-9 KCV \$30.70, Feline FVRCP \$29.50, Feline 1 Yr. rabies \$29.65. Further rates to be provided on a case by case basis; and

BE IT FURTHER RESOLVED *that notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.*

PART III

WHEREAS, there exists a need for the retention of professional legal services for Municipal Prosecutor and Assistants from June 1, 2016 up to and including December 31, 2016; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal which were publicly opened and read on December 2, 2015:

1. *Citta, Holzapfel & Zabarsky, P.C., 248 Washington Street, Toms River, New Jersey 08754*
2. *Bonnie R. Peterson, Esq., 1201 S.W. Central Avenue, P.O. Box J, Seaside Park, New Jersey 08752; and*

WHEREAS, the firm of Citta, Holzapfel & Zabarsky, PC., has represented the Township of Toms River for many years as Municipal Prosecutor and several other municipalities in Ocean County and are fully experienced to perform the duties required; and

WHEREAS, Steven A. Zabarsky, Esq., as Municipal Prosecutor, and Robert Zavistoski, Esq., Eugene Racz, Esq., and Robert Greitz, Esq., as Alternate Municipal Prosecutors of the firm of Citta, Holzapfel & Zabarsky, P.C., have proven their capabilities and responsiveness to the citizens of Toms River Township:

NOW, THEREFORE, BE IT RESOLVED, *that the Township Council authorizes the Mayor to enter into, and the Township Clerk to attest to a contract with Steven A. Zabarsky, Esq. as Municipal Prosecutor, and Robert Zavistoski, Esq., Eugene Racz, Esq., and Robert Greitz, Esq. as Alternate Municipal Prosecutors of the firm of Citta, Holzapfel & Zabarsky, P.C., from June 1, 2016 up to and including December 31, 2016, for a maximum amount not to exceed \$75,000.00, and not to exceed \$6,250.00 on a monthly basis for regular court sessions, plus 4 special sessions at \$650.00 for each, plus 12 special driving while intoxicated sessions at \$850.00 for each session for a total maximum amount not to exceed \$87,800.00 for CY16, contingent upon the execution of a contract, availability of funds and the adoption of the CY16 budget. The certification of*

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

BE IT FURTHER RESOLVED *that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.*

PART IV

WHEREAS, the Township of Toms River has a need to acquire rent leveling board accounting services from June 1, 2016 up to and including December 31, 2016; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on March 23, 2016:

- 1. Bellu Memoli, LLC, 222 Oak Avenue, Suite 5, Toms River, New Jersey 08753; and*

WHEREAS, a review of the submitted proposal to the Council reveals that Carmen J. Memoli, CPA of Bellu and Memoli, LLC has represented Toms River Township as the rent leveling board accountant for several years in a competent and professional manner, and is familiar with the process required to serve the interests of Toms River Township;

NOW, THEREFORE, BE IT RESOLVED, *by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with Bellu Memoli, LLC, for rent leveling board accounting services from June 1, 2016 up to and including December 31, 2016, at the rate of \$85.00 per hour, for a total maximum amount not to exceed \$4,000.00 for CY16, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.*

BE IT FURTHER RESOLVED *that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.*

PART V

WHEREAS, the Township of Toms River has a need to acquire a Township Cardiologist from June 1, 2016 up to and including December 31, 2016; and

WHEREAS, the total maximum amount for these services is not to exceed \$17,500.00 and not subject to Pay to Play laws pursuant to N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, Toms River Cardiology Associates, 780 Route 37 West, Toms River, N.J. 08755, has been performing stress tests, nuclear and non-nuclear since 1996; and

WHEREAS, Toms River Cardiology Associates has been providing other cardio-related services for several years with full staffing on an as needed basis; and

WHEREAS, Toms River Cardiology Associates has submitted a C.271 Political Disclosure Form and Business Entity Disclosure Certification which has to be filed in the Township of Toms River Clerk's Office for ten days prior to this award;

NOW, THEREFORE, BE IT RESOLVED, *by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Township Clerk is authorized to attest to an agreement with Toms River Cardiology Associates, from June 1, 2016 up to and including December 31, 2016, to provide, amongst other services, examinations within one week as requested by the Township of Toms River, contingent upon the execution of a*

contract, the availability of funds and the adoption of the CY16 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk at the following rates:

Regular stress test: \$83.87, nuclear stress test: \$548.69 plus cost of isotope and lexiscan, if needed, ECHO ultrasound: \$254.26, cardiac office evaluation for new patient: \$222.72, and cardiac office follow up visit: \$116.15. Further rates to be provided on a case by case basis.

BE IT FURTHER RESOLVED that the award of this professional service contract is being made in conformance with N.J.S.A. 19:44A-20.4 et. seq. and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq.; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

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

- a) Mayor Thomas Kelaher
- b) Township Council
- c) Chief Financial Officer
- d) Business Administrator
- e) Township Attorney
- f) Purchasing Division
- g) Township Clerk's Office

- h) Township Municipal Court
- i) Bellu Memoli, LLC
222 Oak Avenue, Suite 5
Toms River, New Jersey 08753
- j) Toms River Cardiology Associates
780 Route 37 West
Toms River, NJ 08755
- k) Citta, Holzappel & Zabarsky, PC.
248 Washington Street
Toms River, New Jersey 08754
- l) Pet Services of NJ
d/b/a Toms River Animal Hospital
769 Route 37 West
Toms River, NJ 08755
- m) Brian J. Di Stefano, LLC
1 Pelican Drive
2nd Floor, Suite 6
Bayville, NJ 08721
- n) Mark A. Schneider, Esq.
55 Manchester Avenue
PO Box 258
Forked River, NJ 08731

Council Member Wittmann questioned the following Resolution.

Township Administrator Shives responded.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN EXTENSION OF THE CONTRACT WITH AQUARIUS CAPITAL SOLUTIONS GROUP LLC, FOR AN ADDITIONAL ONE (1) YEAR TERM, PURSUANT TO N.J.S.A. 40A:11-15, FOR ACTUARIAL SERVICES FOR COMPLIANCE WITH GASB45

MAY 24, 2016

WHEREAS, resolution of the Township Council dated November 26, 2013, authorized the award of a contract to Aquarius Capital Solutions Group LLC, as low bidder meeting all the specifications, for Actuarial Services for Compliance with GASB45, over two (2) years, at the rate of \$250.00 per hour, for a total amount not to exceed \$5,500.00; and

WHEREAS, the Purchasing Division has requested authorization to extend the contract for Actuarial Services for Compliance with GASB45 with Aquarius Capital Solutions Group LLC, for an additional one (1) year, at the rate of \$250.00 per hour, for a total amount not to exceed \$5,500.00 (which was authorized by resolution dated November 26, 2013); and

WHEREAS, no additional funds will be necessary for this contract extension; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to extend the contract with Aquarius Capital Solutions Group LLC, for one (1) additional year, for Actuarial Services for Compliance with GASB45, utilizing the same funds which were authorized by resolution dated November 26, 2013;

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. Pursuant to N.J.S.A. 40A:11-15 and the original bid specifications, it hereby authorizes an extension of the contract with Aquarius Capital Solutions Group LLC, for Actuarial Services for Compliance with GASB45, for an additional one (1) year contract term.

2. No additional funding is required for this contract extension. The funds which were awarded by resolution of November 26, 2013, will be utilized for this contract extension (\$250.00 per hour for a total maximum not to exceed \$5,500.00), and are available in Account No. 5-01- -F41-401.

3. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

4. All other terms and conditions of the resolution dated November 26, 2013, shall remain in full force and effect.

5. 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) Human Resources
- e) Aquarius Capital Solutions Group LLC
110 Betsy Brown Road
Port Chester, NY 10573

CERTIFICATION

THIS IS TO CERTIFY that no additional funds for the one (1) year extension of the contract with Aquarius Capital Solutions Group LLC, will be necessary. The funds which were awarded by resolution dated November 26, 2013, at the rate of \$250.00 per hour, not to exceed \$5,500.00, will be utilized for this contract extension. No additional

funding will be necessary for this contract extension. Funds are available in Account No. 5-01- -F41-401.

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: May 24, 2016

Ken Langdon questioned the following Resolution.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CORRECTION TO RESOLUTION DATED APRIL 12, 2016, WHICH AWARDED A CONTRACT TO EMPIRE CONSTRUCTION & PROPERTY MGMT. GROUP, INC., FOR THE 2016 DUNE WALKOVER REPAIR PROJECT, TO CHANGE THE ACCOUNT NUMBER TO BE UTILIZED FOR THIS CONTRACT AWARD TO ACCOUNT NO. X-04- -217-015

MAY 24, 2016

WHEREAS, resolution of the Township Council dated April 12, 2016, awarded a contract to Empire Construction & Property Mgmt. Group, Inc., in the amount of \$92,042.02, for the 2016 Dune Walkover Repair Project; and

WHEREAS, it has been determined that it is necessary to amend the account number to be utilized for this contract award from Account No. X-04- -217-003 to Account No. X-04- -217-015;

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 a correction to resolution dated April 12, 2016, in order to change the account number to be utilized for this contract award from Account No. X-04- -217-003, to Account No. X-04- -217-015. 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) Township Attorney
- b) Purchasing Division
- c) Chief Financial Officer
- d) Empire Construction & Property Mgmt. Group, Inc.
14 Grove Street
Middletown, NJ 07748

AMENDED CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract award to Empire Construction & Property Mgmt. Group, Inc., for the 2016 Dune Walkover Repair Project, in the amount of \$92,042.02, are available in Account No. X-04- -217-015, instead of Account No. X-04- -217-003.

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

CHRISTINE J. MANOLIO
CHIEF FINANCIAL OFFICER

A motion was made by Council Member Manforti, seconded by Council Member Carr, and carried with Council Members Carr, Hill, Geoghegan, Manforti, and Council Member Wittmann voting yes, and Council President Kubielski abstaining, and with Council Member Maruca 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 RENEWAL AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER
AND THE TOMS RIVER TOWNSHIP BOARD OF FIRE COMMISSIONERS, DISTRICT
NO. 1, FOR RECORDS MANAGEMENT AND DOCUMENT SHREDDING SERVICES**

MAY 24, 2016

WHEREAS, the Township of Toms River and the Toms River Township Board of Fire Commissioners, District No. 1, are both Public Agencies serving the people of Toms River; and

WHEREAS, the Township of Toms River is in possession of certain equipment and resources for the purposes of efficient and cost-effective destruction of paper records; and

WHEREAS, the Toms River Township Board of Fire Commissioners, District No. 1 is in need of efficient and cost-effective document destruction services; and

WHEREAS, the destruction of certain classes of public records are mandated by various State laws and regulations, most especially those promulgated by the New Jersey State Records Committee and the New Jersey Division of Archives and Records Management; and

WHEREAS, it is in the best interests of the public for the Toms River Township Board of Fire Commissioners, District No. 1 to utilize the aforementioned document destruction services of Toms River Township, on an as-needed basis, for a fee;

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 Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Services Renewal Agreement between the Township of Toms River and the Toms River Township Board of Fire Commissioners, District No. 1 for records management and document shredding services, which will benefit the taxpayers of Toms River.

2. The Toms River Township Board of Fire Commissioners, District No. 1 will pay to the Township of Toms River a fee of \$0.11 per pound, for document shredding services, on an as-needed basis.

3. The Township of Toms River shall destroy the Toms River Township Board of Fire Commissioners, District No. 1's records utilizing its own high volume document shredding machine and its own personnel.

4. The Township of Toms River shall provide to the Toms River Township Board of Fire Commissioners, District No. 1, on an as-needed basis, one of its Records Assistance for assistance in records management and said services shall be at \$19.52 per hour to be paid by the Toms River Township Board of Fire Commissioners, District No. 1.

5. The term of this Agreement shall be for three (3) years commencing retroactive to November 15, 2015 and terminating on November 14, 2018, with an automatic agreement renewal, upon agreement by both parties.

6. A copy of this agreement will be kept on file in the Office of the Township Clerk upon execution.

7. A certified copy of this resolution and agreement shall be sent to the Division of Local Government Services.

8. 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) Township Clerk
- d) Records Manager
- e) Mayor Thomas Kelaher
- f) Township Council
- g) Toms River Township Board of Fire Commissioners, District No. 1
1144 Hooper Avenue, Suite 306
Toms River, NJ 08753
- h) Division of Archives & Records Management
Attn: Beth Colosimo
2300 Stuyvesant Avenue
Trenton, N.J. 08618-3226
- i) Division of Local Government Services

Council Member Wittmann questioned the following Resolution.

Council President Kubiak explained.

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

**RESOLUTION AUTHORIZING OTHER OFFICIAL ACTION
MAY BE TAKEN AT THE**

Tuesday, June 14, 2016, 5:00 P.M.

**SPECIAL MEETING REGARDING THE
MUNICIPAL BUDGET**

MAY 24, 2016

WHEREAS, the Township Council has previously scheduled a special meeting be held on Tuesday, June 14, 2016 at 5:00 P.M., so as to conduct a public hearing on the 2016 Municipal Budget; and

WHEREAS, it is the desire of the Council to also discuss and/or act upon other official business, if necessary, at this special meeting;

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 Clerk is hereby directed to legally advertise that at the June 14, 2016, 5:00 P.M., Special Meeting, to be held in the L. Manuel Hirshblond Meeting Room. Municipal Building, 33 Washington Street, Toms River, New Jersey 08753 that:

- A. Other Official Business may be discussed;*
- B. Official action may be taken*
- C. Executive Session may be held*

2) The Municipal Clerk shall serve certified copy of this Resolution to all municipal departments.

REPORTS

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

1. Pre-Season Beach Badge Weekly Report: week #5: \$2,440.00
2. Pre-Season Pool Badge Weekly Report- week #5: \$300.00

APPROVAL OF BILLS

Council President Kubiels asked for a report on the bills.

The Bill List, dated **May 20, 2016** was approved on motion by Council Member Manforti, seconded by Council Member Carr, and carried with Council Members Carr, Hill, Manforti, Geoghegan, Wittmann, and Council President Kubiels voting yes, and with Council Member Maruca absent. The following respective exceptions to their votes were noted as abstentions to this vote:

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

Purchase Order 16-02510 and 16-02313, payable to Ocean County Board of Health in the amount of \$608.00.

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

Purchase Order 16-02780, payable to Board of Education-Toms River Schools in the amount of \$10,472,003.37.

Purchase Order 16-02313 and 16-02510, payable to Ocean County Board of Health in the amount of \$608.00

Purchase Order 16-02555 and 16-02557, payable to Owen, Little and Associates in the amount of \$6,998.01.

Purchase Order 16-02597, 16-02727 and 16-02775, payable to Saint Luke's Church in the amount of \$784.00.

Purchase Order 16-02597, 16-02727 and 16-02775, payable to Toms River Schools in the amount of \$334.00.

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

Purchase Order 16-01948 and 16-01949, payable to ARYA Properties in the amount of \$3,457.02.

Purchase Order 16-02259, payable to ARYA Properties (part of Dasti-McGuckin) in the amount \$40.50.

Purchase Order 16-02264, payable to ARYA Properties (part of Remington, V&V) in the amount of \$630.00.

Council Member Manforti abstained on a bill involving the Toms River Municipal Utilities Authority.

ELECTED OFFICIALS COMMENTS

Council President Kubiell spoke regarding the Toms River Food Fest; and Memorial Day Parade in 2016.

Council Member Hill spoke regarding Ocean County College ceremonies; Memorial Day Green Island event; Memorial Day Toms River ceremonies in 2016, and Normandy beaches.

Council Member Manforti expressed his thanks to the veterans. He spoke regarding May 27 Toms River Senior Center Health Center event.

Mayor Kelaher spoke regarding Browns Woods property and no parking signs.

Council Member Geoghegan spoke regarding Memorial Day 2016.

Council Members Wittmann and Carr had no comments.

PUBLIC COMMENTS

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

Carol Benson spoke regarding the bill list.

Alizar Nicholas Achmed Zorrojew, Toms River Business Improvement District, spoke regarding unveiling of Brian Hanlon Exhibit on June 7, 2016.

Ken Langdon spoke regarding fence on Ortleigh Beach. Township Engineer Chankalian explained. Discussion ensued.

No other business appearing, the meeting was adjourned at 6:41 P. M., with Council Members Carr, Geoghegan, Hill, Manforti, Wittmann, and Council President Kubiell voting yes, and with Council Member Maruca absent.

(No Executive Session was held.)

BRIAN S. KUBIEL, COUNCIL PRESIDENT

J. MARK MUTTER, TOWNSHIP CLERK