

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

May 25, 2010

-
1. Meeting called to order
 2. Flag Salute
 3. Open Public Meeting Statement
 4. ROLL CALL :

DONOHUE-APPLEBY _____ MARUCA _____
HILL _____ SEVASTAKIS _____
KUBIEL _____ WITTMANN _____
McGUCKIN _____

5. Minutes: May 11, 2010 (regular meeting)
6. Honoring resolutions and presentations:
 - a. Eagle Scouts Michael Alexander & Benjamin Bradford
 - b. Bancroft Program Volunteers Carol Connelly & Jennifer Merkh
 - c. Ocean County Historical Society 60th Anniversary on June 6th
 - d. 13th Annual Barnegat Bay Partnership Festival on June 6th
 - e. Founder's Day Grand Marshall Township representatives
 - f. Phillip Citta Regional Cancer Center at Community Medical Center as Founder's Day "Organization of the Year"
 - g. Toms River Hockey Club: Squirt A Red South Division, Pee Wee A South Division, Bantam A South Division, Bantam B South Division
7. ORDINANCE repealing Chapter 368 (Noise) of the Township Code and establishing new Chapter 368 (Prohibited Nuisances) of the Township Code of the Township of Toms River, Ocean County, New Jersey. FINAL
8. ORDINANCE amending ordinance 4148-08, which defined the titles and positions subject to the New Jersey defined contribution retirement program established pursuant to N.J.S.A. 43:15C-1 et seq., to include Assistant Township Attorneys and Assistant Township Engineers. FINAL
9. ORDINANCE establishing the titles and positions subject to N.J.S.A. 40A:9-10.2, which restricts the amount of supplemental compensation for accumulated unused sick leave payable to certain municipal officers and employees upon retirement. FINAL
10. ORDINANCE amending and supplementing Section 383-5 of Chapter 383 (Parks, Municipal) of the Code of the Township of Toms River, Ocean County, New Jersey, to increase recreation program fees, and picnic permit fees for the use of all Township parks for group picnic purposes. FINAL
11. ORDINANCE amending and supplementing Section 175-21 and Section 175-34 of Chapter 175 (Bathing Beaches, Swim Clubs, and Swimming Pools, Municipal) of the Code of the Township of Toms River, Ocean County, New Jersey, to set the participation fee for swim lessons between \$40 and \$55 per session and participation in the Ortley Beach Junior Lifeguard Program between \$25 and \$40. FINAL
12. ORDINANCE amending and supplementing Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River, Ocean County, New Jersey (Stop intersection- Yellowbank Road and Tralee Drive) (Stop sign to be installed on Tralee Drive). FINAL

13. ORDINANCE amending and supplementing Section 287-31 of Chapter 287 (Fees) of the Code of the Township of Toms River, Ocean County, New Jersey, to establish fees and discounted rates for eligible low income families, for the Youth Services After School Program. FINAL
14. ORDINANCE amending and supplementing Chapter 442 (Solid Waste) of the Code of the Township of Toms River, Ocean County, New Jersey. FINAL
15. ORDINANCE authorizing the sale of Tax Lots 117 through 121, Block 10, in the Township of Toms River, Ocean County, New Jersey, to a contiguous property owner pursuant to N.J.S.A. 40A:12-13 (b) (5). FINAL
16. ORDINANCE amending and supplementing Section 40-7 (Division of Purchasing established; duties and responsibilities of Purchasing Agent) of Chapter 40 (Department of Administration) of the Code of The Township of Toms River, Ocean County, New Jersey, to establish a procedure to permit the Purchasing Agent to prepare bid specifications and solicit bids for the purchase of materials and supplies and the retention of services in emergent circumstances. FINAL
17. ORDINANCE amending and supplementing Section 348-3.4 (Fees) of Chapter 348 (Land Use and Development) of the Code of the Township of Toms River, Ocean County, New Jersey top increase application fees for Development/ Zoning permits. FINAL
18. ORDINANCE amending and supplementing Chapter 348 (Land Use and Development Regulations) of the Code of the Township of Toms River, Ocean County, New Jersey, to establish a procedure for the enforcement of conditions contained in resolutions and maps approving development applications, and to establish penalties of the violation of any of the provisions of Chapter 348. FIRST
19. ORDINANCE supplementing Township Ordinance No. 4186-09 vacating the public right and interest in a portion of Hedge Street in the Township of Toms River, Ocean County, New Jersey. FIRST
20. ORDINANCE supplementing Township Ordinance No. 4185-09 vacating the public right and interest in a portion of Garden Street in the Township of Toms River, Ocean County, New Jersey. FIRST
21. RESOLUTION of the Township of Toms River providing for an issue of general improvement bonds and an issue of golf utility improvement bonds, authorizing the sale of \$28,825,000.00 principal amount of general improvement bonds, Series 2010A and \$2,475,000.00 principal amount of golf utility improvement bonds, Series 2010B, authorizing advertisement of a notice of sale; authorizing the Chief Financial Officer to sell and award the bonds; determining the form and other details of the bonds; and authorizing other matters relating thereto.
22. RESOLUTION to increase the deferral of school taxes.
23. RESOLUTION introducing the 2010-2011 municipal budget.
24. Calendar year 2010 ORDINANCE to exceed municipal budget appropriation limits and to establish a cap bank pursuant to N.J.S.A. 40A:4-45.14. FIRST
25. RESOLUTION of the Township Council of the Township of Tom s River, Ocean County, New Jersey, authorizing and establishing participant fees for the Travel Ice Hockey Program at the Winding River Skating Center.

CONSENT AGENDA

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

- A. RESOLUTION approving refund for overpayment of taxes, various properties.
- B. RESOLUTION authorizing the execution of an agreement with the County of Ocean, for electric current and battery replacement to be provided to operate a traffic signal at the location of Old Freehold Road (C.R. #93) and Intermediate Way North, in the Township of Toms River.
- C. RESOLUTION authorizing the execution of an agreement with the County of Ocean, for electric current and battery replacement to be provided to operate a traffic signal at the location of Cox Cro Road (C.R. #16) and Vermont Avenue (C.R. #86), in the Township of Toms River.
- D. RESOLUTION authorizing the award of contract to low bidder for the procurement and distribution of new recycling/ sanitation collection system automated/ semi-automated (robo) containers, various sizes, for the Department of Public Works.
- E. RESOLUTION authorizing the Township of Toms River Director of Recreation to waive fees for a round of golf for a "foursome" (greens fees and power cart fees), with a value of \$144.00, at the Bey Lea Golf Course, to be used as a door prize, at the Ocean County American Legion Annual Golf Tournament, held on May 20, 2010.
- F. RESOLUTION
- G. RESOLUTION
- H. RESOLUTION authorizing the Division of Purchasing to solicit for and receive written quotations for the purchase and installation of air ride suspensions in two (2) 2008 Ford F-150 ambulances for the Department of Police.
- I. RESOLUTION to cancel grant receivable balance and offsetting appropriation reserve balance.
- J. RESOLUTION of the Township Council of the Township of Toms River, Ocean County, New Jersey, establishing a procedure to authorize the Director of Recreation to waive fees for up to sixteen rounds of golf (greens' fees and power cart fees), per year, for not-for-profit organizations holding golf tournaments at the Bey Lea Golf Course.
- K. RESOLUTION authorizing the execution of a settlement agreement and mutual release between the Township of Toms River, Wachovia Bank, and Vince Fevola to resolve the pending case of Township of Toms River v. Wachovia Bank, N.A. et al., Docket No. OCN-L-1696-09
- L. RESOLUTION approving massage license applications pursuant to Ordinance No. 1606 & 1682, Chapter 357 of the Code of the Township of Toms River.

- M. RESOLUTION approving taxi license application pursuant to Chapter 457 of the Code of the Township of Toms River.
- N. RESOLUTION accepting maintenance guarantees, releasing performance guarantees for Major Site Plan, Block 192.05, Lot 67 (2240 Church Road, LLC).
- O. RESOLUTION accepting maintenance guarantees, releasing performance bond for Major Site Plan entitled Community Medical Center, Block 535, Lot 32 (Route 37).
- P. RESOLUTION authorizing the release of maintenance bond for Major Site Plan entitled Ocean County Girl Scout Council, Block 413, Lot 21.01.
- Q. RESOLUTION authorizing the Mayor to execute and the Township Clerk to attest to a Business Associates Agreement with Conner Strong, which will permit Connor Strong to create, receive, maintain or transmit protected health information on behalf of the Township/ Employee Health Plan(s).

Reports:

1. Pre-Season Beach Badge Report- Week #5- \$5,285.00
2. Pre-Season Beach Badge Report- Week #6- \$24,990.00
3. Pre-Season Beach Badge Report- Week #7- \$21,840.00
4. Recreation Department- April 2010- \$32,130.00
5. Permits & Inspections Dept.- April 2010- \$184,010.67

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