

February 26, 2019

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 Wittmann and opened with the salute to the Flag.

Council President Wittmann 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 Tuesday, January 8, 2019 and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Wednesday, January 3, 2019, 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 3, 2019. The Notice was also posted on the Township web page.

Roll Call:

Council Member Huryk	- Present
Council Member Kubiell	- Present
Council Member Maruca	- Present
Council Member Rodrick	- Present
Council Member Turnbach	- Present
Council Vice-President Hill	- Present
Council President Wittmann	- Present

APPROVAL OF MINUTES

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Turnbach, and Council President Wittmann voting yes and with Council Member Rodrick abstaining as he was not at the Regular Meeting of January 23, 2019, to approve the **Regular Meeting of January 23, 2019**. 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 Turnbach, seconded by Council Member Maruca, and carried with Council Members Hill, Huryk, Rodrick, and Council Member Turnbach voting yes and with Council Members Kubiell, Maruca, and Wittmann abstaining as they were not at the Regular Meeting of February 12, 2019, to approve the **Regular Meeting of February 12, 2019**. 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 Maruca, seconded by Council Member Huryk, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes, to make the following honoring proclamations a part of the Minutes.

Council President Wittmann and Public Works Department Director Lou Amoruso introduced Kevin King and presented him with a clock for his retirement.

Mayor Kelaher administered the Oath of Office to the following Auxiliary Officers:

Curtis Carlson
Richard M. Clark
Maria Cusimano
Kate Dinneheil
Miguel Fernandez
Todd Garris
Silvia Nicholson
Jason Riccoboni
David J. Russo

Council President Wittmann read statement reiterating our official Township websites and asked Township Attorney Merlino to read Resolution 15.

Council President Wittmann called for Public Comment at 6:17 p.m.

The following people condemn hatred and bigotry and supported the following Resolution:

Scott Gartner
Samantha Gertner
Sean Hyland
Michael Cohen
Catherine Merbit
Sam Foster
Phil Brilliant
Mohammed Ali Chaudry
Hassam Steve Walbick
Robin Cherby
Marissa Sweet

A motion was made by Council Member Kubiell, seconded by Council Member Maruca, and carried with Council Members Hill, Kubiell, Huryk, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, OPPOSING AND
CONDEMNING ALL FORMS OF EXPRESSION THAT PROMOTE HATRED,
BIGOTRY, AND PREJUDICE**

FEBRUARY 26, 2019

WHEREAS, the First Amendment to the United States Constitution and Article I, Section 6 of the New Jersey Constitution guarantee citizens of this country and state the inalienable right to freely speak, write, debate, discuss, and publish ideas, opinions, and sentiments on all subjects without government abridgement, interference, or censorship; and

WHEREAS, those constitutional protections foster a robust marketplace of ideas that undergirds our political institutions, safeguards our freedoms, and allows for the peaceful resolution of peoples' philosophical differences; and

WHEREAS, the inalienable right to freedom of speech, although vast, is not unlimited, and carries with it the responsibility to exercise that right in ways that encourage intelligent, civil, and constructive discourse; and

WHEREAS, that responsibility is often ignored – and the right to freedom of speech abused – by publications that appeal to, promote, or incite bias, bigotry, and prejudice against certain groups and individuals; and

WHEREAS, those divisive publications, in whatever form, hinder a constructive dialogue, and impede efforts to foster greater unity and understanding, among people from different faiths and cultures, and have no place in the civic discourse contemplated by the free speech guarantees of the federal and state constitutions:

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

1. The Township Council hereby opposes and condemns, as an abuse of constitutional free speech guarantees, all communications, publications, and other forms of expression that promote, purvey, or perpetuate hatred, bigotry, and prejudice against particular groups and individuals.

2. A certified copy of this resolution shall remain on file in the Office of Township Clerk.

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

4.
 - a) Mayor Thomas Kelaher
 - b) Township Council
 - c) Township Clerk
 - d) Business Administrator
 - e) Township Attorney
 - f) Human Resources

Council President Wittmann requested a five minutes recess (7:00 – 7:05 p.m.)

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) 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 Wittmann 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 Kubiell, seconded by Council Member Turnbach and carried, the public hearing was closed.

Council Member Kubiell offered the following ordinance and moved its adoption, Council Member Turnbach 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 Huryk	Present
Council Member Kubiell	Present
Council Member Maruca	Present
Council Member Rodrick	Present
Council Member Turnbach	Present
Council Vice-President Hill	Present
Council President Wittmann	Present

Council President Wittmann asked Township Planner Roberts to explain the following Ordinance with his displayed map.

Alizar Zorojew, Executive Director, Business Improvement District, spoke regarding connection with the plan.

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING THE REDEVELOPMENT PLAN FOR THE DOWNTOWN CORE REHABILITATION AREA PURSUANT TO N.J.S.A. 40A:12A-7

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 Wittmann 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 Kubiell, seconded by Council Member Turnbach and carried, the public hearing was closed.

Council Member Kubiell offered the following ordinance and moved its adoption, Council Member Turnbach 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 Huryk	Present
Council Member Kubiell	Present
Council Member Maruca	Present
Council Member Rodrick	Present
Council Member Turnbach	Present

Council Vice-President Hill
Council President Wittmann

Present
Present

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

A motion was made by Council Member Huryk seconded by Council Member Turnbach, 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 477-12 (SCHEDULE IV: OVERNIGHT PARKING PROHIBITED), AND SECTION 477-63 (SCHEDULE V: OVERNIGHT PARKING PROHIBITED – TRUCKS AND BUSES) OF CHAPTER 477 (VEHICLES AND TRAFFIC) 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 Wittmann 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 Kubiell seconded by Council Member Turnbach and carried, the public hearing was closed.

Council Member Huryk offered the following ordinance and moved its adoption, Council Member Turnbach 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 Huryk	Present
Council Member Kubiell	Abstained
Council Member Maruca	Present
Council Member Rodrick	Present
Council Member Turnbach	Present
Council Vice-President Hill	Present
Council President Wittmann	Present

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-79, SCHEDULE XXI: SPEED LIMITS OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE, REDUCING THE SPEED LIMIT ON BRIAR AVENUE BETWEEN ASTORIA WAY AND BAY AVENUE FROM 30 MILES PER HOUR TO 25 MILES PER HOUR

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 Wittmann 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 Kubiel seconded by Council Member Huryk and carried, the public hearing was closed.

Council Member Kubiel offered the following ordinance and moved its adoption, Council Member Huryk 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 Huryk	Present
Council Member Kubiel	Present
Council Member Maruca	Present
Council Member Rodrick	Present
Council Member Turnbach	Present
Council Vice-President Hill	Present
Council President Wittmann	Present

Township Planner Roberts explained the following Ordinance with his displayed map.

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

A motion was made by Council Member Kubiel seconded by Council Member Turnbach and carried that an Ordinance entitled:

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING THE REDEVELOPMENT PLAN FOR THE HOOPER-CAUDINA REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-7

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 Wittmann 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 Kubiel seconded by Council Member Turnbach and carried, the public hearing was closed.

Council Member Kubiel offered the following ordinance and moved its adoption, Council Member Turnbach 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 Huryk	Present
Council Member Kubiel	Present
Council Member Maruca	Present
Council Member Rodrick	Present
Council Member Turnbach	Present
Council Vice-President Hill	Present
Council President Wittmann	Present

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

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 198 (BOAT DOCKS AND BULKHEADS, PUBLIC) OF THE TOWNSHIP CODE TO PROVIDE FOR THE RECREATIONAL USE STORAGE OF KAYAKS

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

1. Article II (Reserved) of Chapter 198 (Boat Docks and Bulkheads, Public) of the Township Code is hereby re-designated as “Storage and Rental of Kayaks,” and amended and supplemented to provide as follows:

ARTICLE II

Recreational Use and Storage Kayaks

§198-5. Authorization; rules and regulations.

- A. The recreational use and storage of kayaks is permitted at any facility designated, established, or leased by the Township for that purpose.
- B. The Department of Recreation shall establish reasonable rules and regulations governing the recreational use storage of kayaks at Township-owned facilities. At leased facilities, the rules and regulations of the facility, as modified or supplemented by agreement with the Township, shall apply.
- C. Violations of applicable rules and regulations will result in the revocation of use and storage privileges without refund of any fees paid.

§198-6. Permits; fees.

- A. The Department of Recreation shall develop and implement a system of registering and issuing permits for the storage and of kayaks.
- B. Permits shall run annually from April 1 through October 31 and are renewable each March.
- C. The Department of Recreation shall charge a reasonable fee for a kayak permit. The fee shall be established annually by the Department of Recreation and approved by resolution of the Township Council.

2. All other provisions of Chapter 198 remain in full force and effect.
3. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.
4. If any provision of this ordinance is for any reason invalidated by superseding legislation or judicial decision, that provision shall be severed, and the remaining provisions shall remain in full force and effect.
5. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and 20 days after publication as required by law.

A motion was made by Council Member Maruca, seconded by Council Member Huryk and carried, with Council Members Hill, Huryk, Kubiel, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes, 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 February 26, 2019 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 March 12, 2019 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.

ALISON CARLISLE
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, March 1, 2019.

Ordinance was adopted on first reading with Council Members Hill, Huryk, Kubiel, Maruca, Rodrick Turnbach and Council President Wittmann voting yes.

A motion was made by Council Member Maruca, seconded by Council Member Huryk, and carried with Council Members Hill, Huryk, Kubiel, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes, to approve the following Resolution.

**RESOLUTION TO AMEND THE 2019 TEMPORARY BUDGET
PURSUANT TO N. J. S. A. 40A: 4-20
February 26, 2019**

WHEREAS, the Township Council of the Township of Toms River passed a 2019 Temporary Budget Resolution on January 3, 2019; 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 2019 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) Administrator
- b) Township Attorney
- c) Chief Financial Officer
- d) Affected Department Heads

Approved as to Content:

“SEE ATTACHMENTS”

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

Council Member Huryk	Yes
Council Member Hill	Yes
Council Member Maruca	Yes
Council Member Rodrick	Yes
Council Member Wittmann	Yes
Council Vice-President Turnbach	Yes
Council President Kubiel	Yes

A motion was made by Council Member Kubiel, seconded by Council Member Huryk, and carried with Council Members Hill, Huryk, Kubiel, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes, to approve the following Resolution.

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION AND AGREEMENT, AND ANY AMENDMENT THERETO, FOR FUNDING FROM THE STATE TO FUND TOMS RIVER TOWNSHIP OPEN SPACE PROJECT – JERSEY SHORE COUNCIL, INC. (BLOCK 411, LOT 87)

FEBRUARY 26, 2019

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to non-profit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Toms River desires to further the public interest by obtaining funding in the amount of \$1,000,000.00, in the form of a 50% matching grant and, if available, a 50% loan, from the State to fund the following project(s): Toms River Township Open Space Project – Jersey Shore Council, Inc. (Block 411, Lot 87) at a cost of \$1,000,000.00;

NOW, THEREFORE, the governing body/board resolves that the Mayor or the successor to the Office of Mayor is hereby authorized to:

1. Make application for such a loan and/or such a grant.
2. Provide additional application information and furnish such documents as may be required.
3. Act as the authorized correspondent of the above-named applicant.

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, and regulations and applicable statutes, and is willing to enter into an agreement with the State for the above-named project.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Toms River Township Council:

1. That the Mayor of the Township of Toms River is hereby authorized to execute an agreement, and any amendment thereto, with the State known as the Toms River Township Open Space Project – Jersey Shore Council, Inc.

2. That the applicant has its matching share of the project, if a match is required, in the amount of \$500,000.00.

3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project.

4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

5. That this resolution shall take effect immediately.

6. 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) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Recreation
- g) James M. Rutala, PP, AICP, MBA
Rutala Associates, LLC
717 River Drive
Linwood, NJ 08221-1226

CERTIFICATION

I, Alison Carlisle, Township Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Toms River Township Council at a meeting held on the 26th day of February, 2019.

IN WITNESS WHEREOF, I have hereunder set my hand and the official seal of this body this 26th day of February, 2019.

ALISON CARLISLE, TOWNSHIP CLERK

CONSENT AGENDA

Township Clerk alison 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 President Wittmann to removed "R" from the agenda with all in favor.

A motion was made by Council Member Kubiell, seconded by Council Member Maruca, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Rodrick, Turnbach, and Council President Wittmann voting yes, to approve all the following items listed on the Consent Agenda, except item **EE**, which was done separately.

R E S O L U T I O N

FEBRUARY 26, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO CONSOLIDATED PROPERTY, 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>Year</i>	<i>Amount</i>
COX, EDWARD	803	21	2018/4	\$2,277.99
COX, EDWARD	803	19	2018/4	1,374.73
GW DEVELOPMENT, LLC	794.36	3	2018/4	563.08
LAURIA, MARIA	410.02	27.01	2018/4	4,711.49
NOBILITY CREST AT DOVER LLC	166	15.01	2018/4	\$22,501.18
RUSSOMANO, ELVIDA	400.04	67	2018/4	2,186.47
TOTALS:				\$33,614.94

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

Approved as to content:

R E S O L U T I O N

FEBRUARY 26, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A DUPLICATE/AND OR ERRONEOUS TAX PAYMENT; 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	Year	Amount
TOMS RIVER FIRE CO. NO. 1 @ BECK, MICHAEL ESQ.	411	6	2019/3	\$1,216.43

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

Approved as to content:

R E S O L U T I O N

FEBRUARY 26, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO SUBDIVISIONS; 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	Year	Amount
------	-------	-----	------	--------

ARYA PROPERTIES, LLC	693	4	2018/4	\$6,868.03
AMALLAH, OMAR A. & OMAR F.	687.08	7	2017/4	4,420.99
CAPONEGRO, JOSEPH & KAREN	794.46	6	2017/3	2,004.79
GREENGROVE, JAMES & 2016/3DOROTHY	1056.03	19	2017/3	5,000.60
LMO EQUITIES LLC @ SCHILLING	1026	7.01	2016/4	1,558.24
	1026	7.01	2016/3	1,558.24
LMO EQUITIES LLC TOTL:				3,116.48
PAPA, VINCENT C. & DONNA	235.14	9	2017/3	2,043.04
SCHILLING, FRANK	1026	6.01	2017/4	3,116.48
SCHILLING, FRANK	1097.06	1	2017/4	3,115.15
TOTAL FOR SHILLING				6,231.63
TOTAL:				\$29,685.56

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

Approved as to content:

R E S O L U T I O N

FEBRUARY 26, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A NEW JERSEY STATE TAX APPEALS, 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>Year</i>	<i>Amount</i>
<i>EQUITY BUILDERS OF NJ LLC @ TERRY BRADY ESQ.</i>	<i>798</i>	<i>1</i>	<i>2017/4</i>	<i>\$ 4,019.15</i>
			<i>2018/4</i>	<i>9,559.59</i>
<i>TOTAL:</i>				<i>\$13,578.74</i>
<i>MARIDAN ENTERPRISES, INC @ ZIPP & TANNENBAUM LLC</i>	<i>171</i>	<i>16</i>	<i>2014/4</i>	<i>1,588.59</i>
			<i>2015/4</i>	<i>1,671.32</i>
<i>MARIDAN ENTERPRISES, INC.@ ZIPP & TANNENBAUM LLC.</i>	<i>171</i>	<i>16</i>	<i>20016/4</i>	<i>1,733.56</i>
<i>TOTAL FOR MARIDAN:</i>				<i>\$ 4,993.47</i>
<i>TOTAL:</i>				<i>\$18,572.21</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:

R E S O L U T I O N

FEBRUARY 26, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A DAV 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:

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

NAME	BLOCK	LOT	Year	Amount
Palazzolo, Daniel J. & Millie J.	192.35	316	2018/4	\$125.00

- 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 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% OF A DISABLED VETERAN STATUS FOR THE OWNER OF BLOCK 443.03 LOT 28, EFFECTIVE JANUARY 26th 2019, AND PROVIDING THAT PROPERTY TAXES FOR 2019, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

FEBRUARY 26, 2019

WHEREAS, the owner of real property in the Township of Toms River known as Block 443.03 Lot 28 located at 792 Foothill Court, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective January 26th, 2019, and

WHEREAS, property taxes for 2019, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

WHEREAS, any taxes paid after the date of this resolution by the property owner (or on his behalf), are to be cancelled and/or refunded from the date of this resolution;

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. All 2019 real property taxes for Block 443.03 Lot 28 due on or after January 26th, 2019 shall be cancelled.

2. All real property taxes from the date of this Resolution paid on Block 443.03 Lot 28 if any, shall be refunded on a pro-rated basis from January 26th, 2019.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. 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) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Sharon Smith, Chief Financial Officer
 - e) Richard Kenny, Township Tax Assessor
 - f) Carl Dileo, Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100%
OF A DISABLED VETERAN STATUS FOR THE OWNER OF BLOCK 443.03 LOT 28, EFFECTIVE
JANUARY 26th 2019, AND PROVIDING THAT PROPERTY TAXES FOR 2019, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

FEBRUARY 26, 2019

WHEREAS, the owner of real property in the Township of Toms River known as Block 443.03 Lot 28 located at 792 Foothill Court, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective January 26th, 2019, and

WHEREAS, property taxes for 2019, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

WHEREAS, any taxes paid after the date of this resolution by the property owner (or on his behalf), are to be cancelled and/or refunded from the date of this resolution;

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. All 2019 real property taxes for Block 443.03 Lot 28 due on or after January 26th, 2019 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 443.03 Lot 28 if any, shall be refunded on a pro-rated basis from January 26th, 2019.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. 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) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Sharon Smith, Chief Financial Officer
 - e) Richard Kenny, Township Tax Assessor
 - f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP

OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% OF A DISABLED VETERAN STATUS FOR THE OWNER OF BLOCK 135.24 LOT 16, EFFECTIVE JANUARY 1st, 2019 AND PROVIDING THAT PROPERTY TAXES FOR 2019, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

FEBRUARY 26, 2019

WHEREAS, the owner of real property in the Township of Toms River known as Block 135.24 Lot 16 located at 3005 Springwater Court, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective January 1st, 2019, and

WHEREAS, property taxes for 2019, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

WHEREAS, any taxes paid after the date of this resolution by the property owner (or on his behalf), are to be cancelled and/or refunded from the date of this resolution;

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. All 2019 real property taxes for Block 135.24 Lot 16 due on or after January 1st, 2019 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 135.24 Lot 16 if any, shall be refunded on a pro-rated basis from January 1st, 2019.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. 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) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Sharon Smith, Chief Financial Officer
 - e) Richard Kenny, Township Tax Assessor
 - f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% OF A DISABLED VETERAN STATUS FOR THE OWNER OF BLOCK 192.44 LOT 24, EFFECTIVE JANUARY 15th, 2019 AND PROVIDING THAT PROPERTY TAXES FOR 2019, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

FEBRUARY 26, 2019

WHEREAS, the owner of real property in the Township of Toms River known as Block 192.44 Lot 24 located at 1622 Crimson Court, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective January 15th, 2019, and

WHEREAS, property taxes for 2019, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

WHEREAS, any taxes paid after the date of this resolution by the property owner (or on his behalf), are to be cancelled and/or refunded from the date of this resolution;

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. All 2019 real property taxes for Block 192.44 Lot 24 due on or after January 15th, 2019 shall be cancelled.

2. All real property taxes from the date of this Resolution paid on Block 192.44 Lot 24 if any, shall be refunded on a pro-rated basis from January 15th, 2019.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. 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) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Sharon Smith, Chief Financial Officer
 - e) Richard Kenny, Township Tax Assessor
 - f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, EXTENDING THE TERM OF CERTAIN CONTRACTS EXEMPT FROM PUBLIC BIDDING TO MARCH 26, 2019

FEBRUARY 26, 2019

WHEREAS, during the 2018 calendar year, the Township Council awarded contracts for services exempted from the public bidding process up to and including December 31, 2018; and

WHEREAS, on January 3, 2019 the Township Council passed a resolution extending the terms of certain 2018 contracts exempted from public bidding to February 26, 2019; and

WHEREAS, there still exists a need for the extensions of certain contracts exempt from public bidding; and

WHEREAS, awards for these services are subject to campaign contribution reform laws as set forth in *N.J.S.A. 19:44A-20.4, et. seq.* and the Toms River Township Administrative Code § 84-1, “Prohibition on awarding public contracts to certain contributors”; and

WHEREAS, vendors receiving these contract awards in 2018 were obtained pursuant to a fair and open process, and other methods permitted by law pursuant to *N.J.S.A. 19:44A-20.4 et. seq.*, of New Jersey’s Pay-to-Play Law and the Toms River Township Administrative Code § 84-1:

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

1. It hereby approves the extensions of contracts up to and including March 26, 2019 with the following firms:
 1. Preferred Behavioral Health as EAP Administrator
 2. David P. Wadyka, Esq., Special Legal Counsel for litigation against Peter J. Pirozzi General Contracting, LLC,
 3. Piazza & Associates, Inc., as Administrative Agent for Affordable Housing Units
 4. Chiesa, Shahinian and Giantomasi P.C., for professional bankruptcy counsel legal services
 5. Gluck, Walrath, L.L.P., for municipal bond legal services
 6. Michael LaMana, M.S., C.T.E., R.C.A., of Heartwood Ecological Consulting, LLC, for certified forester services
 7. William J. Willard, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., for professional COAH legal services
 8. Edward J. Simone, C.P.A., R.M.A. of William E. Antonides and Company, for conflict auditing services
 9. Bonnie Peterson, Esq., as Conflict Prosecutor
 10. Jersey Shore Veterinary Emergency Services, for emergency veterinarian services

11. Connor, Strong & Buckelew Companies, LLC, for Employee Benefits Consultancy and Brokerage Services for Medical, Prescription, Dental, and Vision Coverage
12. Maser Consulting, PA, for environmental consultant expert on CIBA/BASF tax appeals
13. Acacia Financial Group, Inc., as Financial Advisor and Counseling Services (Arbitrage)
14. Chiesa, Shahinian and Giantomasi, P.C., and Michael J. Gross, Esq., of Giordano, Halleran & Ciesla, Esqs., as General Environmental Legal Counsel
15. For general legal and litigation services: Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors; Kevin B. Riordan, Esq., L.L.C; and Hiering, and Gannon, & McKenna.
16. Paul R. Rizzo, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., for land acquisition and dune easement counsel services
17. TRC Environmental Corp., for landfill environmental consultant services
18. Holman, Frenia, Allison, P.C. for municipal auditor services
19. Steven A. Zabarsky, Esq. as Municipal Prosecutor and Alternate Municipal Prosecutors of the firm of Citta, Holzapfel & Zabarsky, P.C.,
20. Terry F. Brady, Esq. of the firm of Brady & Kunz, P.C. as Municipal Public Defender
21. Dr. Laurence De Rochers, t/a Emergemed, L.L.C as police emergency medical service and volunteer emergency medical service director
22. The Musial Group, for professional pool architectural services
23. Brian E. Rumpf, Esq. and Mark A. Schneider, Esq. as Pool Conflict Municipal Public Defender Services
24. Owen, Little & Associates; Remington, Vernick & Vena Engineers; T & M Associates; French & Parrello Associates; Mott MacDonald, L.L.C.; Maser Consulting, PA; O'Donnell, Stanton & Associates, Inc. CME Associates; and ARH Associates for pool inspection and general engineering services.
25. Toms River Animal Hospital, and Vetcor of Toms River, L.L.C., t/a Callin' All Creatures as non-emergency pool veterinary services
26. Mid-State Abstract Co., for First America Title Ins. Co. for real estate title abstract services
27. Henry J. Mancini and Associates for real estate appraisal services
28. Henry J. Mancini and Associates for real estate appraisal services for property tax appeals
29. Carmen J. Memoli, CPA of the firm Bellu and Memoli, LLC, for rent leveling board accounting services
30. Amando V. Ricco, L.L.C. for special labor counseling services
31. Chiesa, Shahinian and Giantomasi, P.C. for special legal counsel in the matter of CIBA/BASF tax appeals
32. Coffey & Associates for legal professional services with regard to litigation filed against the Township of Toms River captioned *NJDEP v. Almo Anti-Pollution Services, et als. v. Toms River Township*
33. Chiesa, Shahinian and Giantomasi, P.C. for professional legal services regarding the *Township of Dover v. Ciba Specialty Chemicals Corp., et. als.,*
34. Urgent Care Group, PA d/b/a Urgent Care Now as Township Physician
35. Raymond F. Hanbury, Phd as Township Psychologist
36. Dr. Samir Jain, d/b/a NJ Heart and Vascular Specialist as Township Cardiologist.
37. Professor Marci A. Hamilton, Esq. as consultant for matters Religious land use and institutionalized persons 36 Timber Knoll Drive, Washington Crossing Pa. 18977

2. The rates of pay will be the same as those awarded during 2018 calendar year.
3. A notice of these extensions shall be published within 10 days of the date of this Resolution, pursuant to law.
4. 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) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) All Department Heads
- f) Engineering Division
- g) Purchasing Division
- h) Tax Assessor
- i) Township Clerk's Office
- j) David P. Wadkya, Esq
DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis,
Lehrer & Flaum, P.C.
15 Mountain Blvd.
Warren, New Jersey 07059
- k) Toms River Animal Hospital
769 Route 37 West
Toms River, N.J. 08755
- l) Preferred Behavioral Health Group.
1500 Route 88
Brick, N.J. 08724
- m) Piazza & Associates, Inc.
216 Rockingham Row,
Princeton, N.J. 08540
- n) Chiesa, Shahinian and Giantomasi, P.C.
1 Boland Drive
West Orange, New Jersey 07052
- o) Gluck, Walrath, L.L.P.
428 River View Plaza
Trenton, New Jersey 08611
- p) Michael LaMana
Heartwood Ecological Consulting, LLC
P.O. Box 1249
Toms River, N.J. 08754
- q) William J. Willard, Esq., of the firm DiFrancesco,
Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.,
15 Mountain Blvd., Warren, New Jersey 07059
- r) Edward J. Simone, CPA, RMA,
William E. Antonides & Co.
2807 Hurley Pond Road
P.O. Box 1137
Wall, N.J. 07718-1137
- s) Bonnie R. Peterson, Esq.
1201 SW Central Avenue
P.O. Box J
Seaside Park, New Jersey 08752
- t) Jersey Shore Veterinary Emergency Services, 1000 Route
70
Lakewood, New Jersey 08701

- u) Connor, Strong & Buckelew Companies, LLC
40 Lake Center Executive Park
401 Route 73 North
Marlton, New Jersey 08053
- v) Maser Consulting, PA,
331 Newman Springs Road, Suite 203
Red Bank, New Jersey 07701
- w) Acacia Financial Group, Inc.,
6000 Midlantic Drive
Mt. Laurel, New Jersey 08054
- x) Dasti, Murphy, McGuckin, Ulaky, Koutsouris &
Connors, P.C.,
620 West Lacey Road
Forked River, New Jersey 08731
- y) Kevin Riordan, Esq.
20 Hadley Avenue, Suite 2
Toms River, New Jersey 08753
- z) Hiering, Gannon, & McKenna
29 Hadley Avenue, Suite 2,
Toms River, New Jersey 08753
- aa) Paul R. Rizzo, Esq., DiFrancesco, Bateman, Kunzman,
Davis, Lehrer & Flaum, P.C.
15 Mountain Blvd.
Warren, New Jersey 07059
- bb) TRC Environmental Corp.
41 Spring Street
New Providence, New Jersey 07974
- cc) Holman, Frenia, Allison, P.C.,
912 Highway 33, Suite 2
Freehold, New Jersey 07728
- dd) Citta, Holzapfel & Zabarsky, P.C.
248 Washington Street
Toms River, New Jersey 08753
- ee) Terry F. Brady, Esq., Brady, & Kunz, P.C.,
680 Hooper Avenue, Building C, 2nd Floor, P.O. Box
4990,
Toms River, New Jersey 08754
- ff) Emergemed, L.L.C.
Att'n: Dr. Larry Des Rochers, M.D.
640 Harbor Road
Brick, New Jersey 08724
- gg) Brian E. Rumpf, Esq.
11 Leifried Lane
Tuckerton, New Jersey 08087
- hh) Mark A. Schneider, Esq.
55 Manchester Ave.
P.O. Box 258
Forked River, N.J. 08731
- ii) Mott MacDonald, L.L.C.
3 Paragon Way
Freehold, New Jersey 07728

- jj) O'Donnell, Stanton & Associates, Inc.
1705 Route 37 East
Toms River, New Jersey 08753
- kk) Owen, Little & Associates
443 Atlantic City Blvd.
Beachwood, N.J. 08722
- ll) Remington Vernick & Vena Engineers
9 Allen Street
Toms River, N.J. 08753
- mm) T & M Associates
11 Tindall Road
Middletown, New Jersey 07748
- nn) French & Parrello Associates, P.A.
1800 Rte. 34, Suite 101
Wall, N.J. 07719
- oo) Vetcor of Toms River, L.L.C., t/a
Calling All Creatures Veterinary Hospital
246 Washington Street
Toms River, N.J. 08753
- pp) Toms River Animal Hospital
769 Route 37 West
Toms River, N.J. 08755
- qq) Mid-State Abstract Company
207 Hooper Avenue, P.O. Box 413
Toms River, New Jersey 08754
- rr) Henry J. Mancini and Associates
691 Mill Creek Road, Unit 11
Manahawkin New Jersey 08092
- ss) Bellu Memoli, LLC
222 Oak Avenue, Suite 5
Toms River, New Jersey 08753
- tt) Amando V. Ricco, L.L.C.,
20 Hadley Avenue
Toms River, New Jersey 08753
- uu) Coffey & Associates
310 South Street
Morristown, N.J. 07960
- vv) Raymond F. Hanbury, Phd. ABPP
2100 Highway 33, Suite 9-10
Neptune, New Jersey 07753
- ww) Urgent Care Group, PA t/a
Urgent Care Now Physicians
970 Hooper Avenue, Suite 2
Toms River, New Jersey 08753
- xx) Michael J. Gross, Esq.
Giordano, Halleran & Ciesla, Esqs.
125 Half Mile Road
Red Bank, N.J. 07701
- yy) CME Associates
1460 Route 9 South

Howell, New Jersey 07731

- zz) ARH Associates
251 Bellevue Avenue
P.O. Box 579
Hammonton, N.J. 07731

- aaa) Dr. Samir Jain
d/b/a NJ Heart and Vascular Specialists
599 Route 37 West, Suite 5
Toms River, New Jersey

- bbb) Professor Marci A. Hamilton, Esq.
36 Timber Knoll Drive
Washington Crossing Pa. 18977

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CONTRACT TO HCS HEATING & COOLING, INC., TO REPLACE A SPLIT A/C UNIT FOR THE DEPARTMENT OF POLICE, IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$10,500.00

FEBRUARY 26, 2019

WHEREAS, the Purchasing Division has requested the Township to authorize a contract to replace a split A/C Unit for the Department of Police; and

WHEREAS, HCS Heating & Cooling, Inc. has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the company has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which are on file in the Municipal Clerk's Office; and

WHEREAS, the Township Council of the Township of Toms River has determined that it is the best interest of the Township of Toms River to authorize this contract;

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 contract to HCS Heating & Cooling, Inc., who provided the lowest quote, to replace a split A/C Unit for the Department of Police, in the total maximum contract amount not to exceed \$10,500.00. The total for this project will be \$10,500.00 making the total purchases from this vendor exceed \$17,500.00 over the last twelve months.

2. Funds for this contract in the total maximum amount not to exceed \$10,500.00 are available in Account No. X-04- -223-005, making the total purchases from this vendor exceed \$17,500.00 over the last twelve months. 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) Division of Purchasing
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) HCS Heating & Cooling, Inc.
1889 Route 9, Suite 98-99
Toms River, NJ 08755

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with HCS Heating & Cooling, Inc., in the total contract amount not to exceed \$10,500.00, are available in Account No. X-04- -223-005, making the total purchases from this vendor exceed \$17,500.00 over the last twelve months.

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AMENDMENT III TO THE RESOLUTION DATED APRIL 10, 2018, WHICH AWARDED A CONTRACT TO TOMS RIVER SECURITY SYSTEMS, INC., FOR INSPECTION, TESTING, MONITORING, MAINTENANCE AND REPAIR SERVICES OF VARIOUS FIRE SYSTEMS INCLUDING PORTABLE FIRE EXTINGUISHERS, FIRE SUPPRESSION SYSTEMS, WATER BASED FIRE PROTECTION SYSTEMS AND FIRE & BURGLAR ALARMS, AND TO THE RESOLUTION DATED DECEMBER 11, 2018, WHICH ADDED THE BEY LEA GOLF COURSE CLUBHOUSE BURGLAR ALARM MONITORING TO SECTION 3 OF THE ABOVE CONTRACT

(THIS AMENDMENT III WILL ADD THE YOUTH CENTER TO SECTION 3 – WATER BASED FIRE PROTECTION SYSTEMS, AT AN ANNUAL TESTING FEE OF \$250.00 AND IT WILL ALSO BE ADDED TO SECTION 4 – ALARM MONITORING AND TESTING, WHICH AT THIS TIME WAS FOR BURGLAR ALARM ONLY, AT A FIRE ALARM MONTHLY MONITORING FEE OF \$30.00 PER MONTH AND FIRE ALARM ANNUAL TEST FEE OF \$180.00, THROUGH APRIL 9, 2021)

FEBRUARY 26, 2019

WHEREAS, resolution of the Township Council dated April 10, 2018 authorized an award of contract to Toms River Security Systems, Inc., as the lowest, grand total bidder meeting all the specifications, for the Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems Including Portable Fire Extinguishers, Fire Suppression Systems, Water Based Fire Protection Systems and Fire & Burglar Alarms, in the amount not to exceed \$235,000.00 over three (3) years (estimated inspections and monitoring - \$35,000.00), commencing April 10, 2018 through April 9, 2021; and

WHEREAS, a resolution of the Township Council dated October 23, 2018, authorized an Amendment I to the above-mentioned contract adding the new Bey Lea Equipment Storage Building Truck Wash and Fueling Station location to Section 4 of said contract; and

WHEREAS, resolution of the Township Council dated December 11, 2018, authorized Amendment II to the above-mentioned contract adding the Bey Lea Golf Course Clubhouse Burglar Alarm Monitoring to Section 3 of said contract through April 9, 2021; and

WHEREAS, at the request of the Youth Center, Amendment III will add the Youth Center to Section 3 – water based fire protection systems at an annual testing fee of \$250.00. The Youth Center will also be added to Section 4 – Alarm Monitoring and Testing, which at this time was for Burglar Alarm only, at a Fire Alarm Monthly fee of \$30.00 per month, and Fire Alarm Annual Test Fee of \$180.00, in accordance with other monthly charges on existing contract to the existing contract with Toms River Security Systems, Inc., through April 9, 2021; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to amend the existing contract with Toms River Security Systems, Inc., with Amendment III to add the Youth Center to Section 3 and Section 4 of the contract;

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 Amendment III to the resolution dated April 10, 2018, awarding a contract to Toms River Security Systems, Inc., to add the Youth Center to Section 3 – water based fire protection systems at an annual testing fee of \$250.00. The Youth Center will also be added to Section 4 – Alarm Monitoring and Testing, which at this time was for Burglar Alarm only, at a Fire Alarm Monthly fee of \$30.00 per month, and Fire Alarm Annual Test Fee of \$180.00, in accordance with other monthly charges on existing contract to the existing contract with Toms River Security Systems, Inc., through April 9, 2021

2. This amendment is subject to all the other terms and conditions of the original contract and bid specifications.

3. Funds are available in Account No. 9-01- -R20-531. 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) Business Administrator
- b) Purchasing Division
- c) Chief Financial Officer
- d) Township Attorney
- e) Parks, Buildings & Grounds
- f) Toms River Security Systems, Inc.
1943 Ship Court
Toms River, NJ 08753

CERTIFICATION

THIS IS TO CERTIFY that the funds for Amendment III to the contract with Toms River Security Systems, Inc., to add the Youth Center to Section 3 – water based fire protection systems at an annual testing fee of \$250.00, and Section 4 – alarm monitoring and testing, at a fire alarm monthly monitoring fee of \$30.00 per month, and fire alarm annual test fee of \$180.00, are available in Account No. 9-01- -R20-531.

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL ONE (1) YEAR CONTRACT EXTENSION OF AN OPEN-ENDED CONTRACT WITH GRANTURK EQUIPMENT CO., INC., FOR THE SUPPLY OF LABRIE (OR EQUIVALENT) REPAIR PARTS FOR THE DEPARTMENT OF PUBLIC WORKS

FEBRUARY 26, 2019

WHEREAS, resolution of the Township Council dated March 22, 2016, authorized the award of an open-ended contract for the Supply of Labrie (or equivalent), Repair Parts for the Department of Public Works to GranTurk Equipment Company, Inc., for a two (2) year term, effective April 11, 2016 through April 10, 2018; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15, which allows for the contract to be extended for up to two

(2) additional one (1) year terms, or one (1) additional two (2) year term, upon expiration of the original contract; and

WHEREAS, resolution of the Township Council dated March 13, 2018, authorized the first extension of the open-ended contract with GranTurk Equipment Co., Inc., for the Supply of Labrie (or equivalent) Repair Parts for the Department of Public Works, commencing April 11, 2018 through April 10, 2019; and

WHEREAS, the Department of Public Works has determined that it is in the best interest of the Township to extend the contract with GranTurk Equipment Co., Inc., for the second and final extension of the original contract, for an additional one (1) year period, commencing April 11, 2019 through April 10, 2020, under the same terms and conditions as the original contract;

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 second and final one (1) year extension of the open-ended contract with GranTurk Equipment Co., Inc., for the Supply of Labrie (or equivalent) Repair Parts for the Department of Public Works, commencing April 11, 2019 through April 10, 2020, at the following rates:

Discount off Current Labrie Repair Parts Price List:	20%
Manufacturer Bid:	Labrie (Price includes Standard ground freight all Expedited freight will be billed At current rate)
Percentage Discount for Payment Within 30 Days:	0%
Availability of Parts ARO:	Stock – 1 day Non-stock - 3 to 4 days

2. This will be an open-ended contract extension 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. The extension of this contract is subject to all the terms and conditions of the original contract.

3. 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) Department of Public Works
- e) GranTurk Equipment Co., Inc.
One Schuylkill Parkway
Building B
Bridgeport, PA 19405

CERTIFICATION

THIS IS TO CERTIFY that the funds for the second and final one-year extension of the open-ended contract with GranTurk Equipment Co., Inc., 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 accounts at that time.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL CONTRACT EXTENSION OF AN OPEN-ENDED CONTRACT WITH GRANTURK EQUIPMENT CO., INC., FOR THE SUPPLY OF LOADMASTER (OR EQUIVALENT) REPAIR PARTS FOR THE DEPARTMENT OF PUBLIC WORKS

FEBRUARY 26, 2019

WHEREAS, resolution of the Township Council dated March 22, 2016, authorized the award of an open-ended contract for the Supply of Loadmaster (or equivalent), Repair Parts for the Department of Public Works to GranTurk Equipment Company, Inc., for a two (2) year term, effective April 11, 2016 through April 10, 2018; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15, which allows for the contract to be extended for up to two (2) additional one (1) year terms, or one (1) additional two (2) year term, upon expiration of the original contract; and

WHEREAS, resolution of the Township Council dated March 13, 2018, authorized the first extension of the open-ended contract with GranTurk Equipment Co., Inc., for the Supply of Loadmaster (or equivalent) Repair Parts for the Department of Public Works, commencing April 11, 2018 through April 10, 2019; and

WHEREAS, the Department of Public Works has determined that it is in the best interest of the Township to extend the contract with GranTurk Equipment Co., Inc., for the second and final extension of the original contract, commencing April 11, 2019 through April 10, 2020 for an additional one (1) year period, commencing April 11, 2019 through April 10, 2020, under the same terms and conditions as the original contract;

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 second and final one (1) year extension of the open-ended contract with GranTurk Equipment Co., Inc., for the Supply of Loadmaster (or equivalent) Repair Parts for the Department of Public Works, commencing April 11, 2019 through April 10, 2020, under the same terms and conditions as the original contract, as follows:

Discount off Current Loadmaster Repair Parts Price List:	20%
Manufacturer Bid:	Loadmaster
Percentage Discount for Payment Within 30 Days:	0%
Availability of Parts ARO:	3 to 4 days

2. This will be an open-ended contract extension 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. The extension of this contract is subject to all the terms and conditions of the original contract.

3. 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) Department of Public Works
- e) GranTurk Equipment Co., Inc.

One Schuylkill Parkway
Building B
Bridgeport, PA 19405

CERTIFICATION

THIS IS TO CERTIFY that the funds for the second and final one-year extension of the open-ended contract with GranTurk Equipment Co., Inc., 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 accounts at that time.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF OPEN-ENDED
CONTRACTS FOR THE SUPPLY OF GRASS SEED, FERTILIZER, HERBICIDES,
FUNGICIDES, INSECTICIDES, INFIELD MIX, TOP DRESSING AND BUNKER SAND TO:**

**REED AND PERRINE SALES INC.;
DAVISSON GOLF, INC.;
PLANT FOOD COMPANY INC.;
HARRELL'S LLC;
FISHER & SON COMPANY, INC.;
SEETON TURF WAREHOUSE, LLC;
SITEONE LANDSCAPE LLC;
NUTRIEN AG SOLUTIONS INC.;
LEVITTS LLC;
HELENA AGRI;
TRI-STATE MATERIALS LLC T/A
GREEN PRO MATERIALS;
GRASS ROOTS TURF PRODUCTS INC.;
OUTDOOR HOME SERVICES GP LLC,
OUTDOOR HOME SERVICES MIDCO LLC
D/B/A TRUEGREEN LIMITED PARTNERSHIP,**

AS LOWEST RESPONSIBLE BIDDERS

FEBRUARY 26, 2019

WHEREAS, bids were invited on January 31, 2019, for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing and Bunker Sand; and

WHEREAS, bids were received, as follows:

Reed and Perrine Sales Inc.
PO Box 100
Tennent, NJ 07763

Davisson Golf, Inc.
7462 Railroad Ave.
Harmans, MD 21077

Plant Food Company Inc.
38 Hightstown-Cranbury Station Rd.

Harrell's LLC
5105 New Tampa Hwy.

Cranbury, NJ 08512

Nutrien AG Solutions Inc.
1470 Jersey Ave.
North Brunswick, NJ 08902

Seeton Turf Warehouse, LLC
25 Roland Ave.
Mt. Laurel, NJ 08054

Levitt's LLC
621 Edwards Rd.
Parsippany, NJ 07054

Tri-State Materials LLC
t/a Green Pro Materials
PO Box 604
Lanoka Harbor, NJ 08734

Outdoor Home Services GP LLC
Outdoor Home Services Midco LLC
d/b/a TrueGreen Limited Partnership
5003 Industrial Rd.
Farmingdale, NJ 07727

Lakeland, FL 33815

Fisher & Son Company Inc.
110 Summit Drive
Exton, PA 19341

SiteOne Landscape LLC
1385 East 36th Street
Cleveland, OH 44114

Helena Agri
328 Minortown Road
Woodbury, CT 06798

Grass Roots Turf Products, Inc.
4 Middlebury Blvd., Suite 7
Randolph, NJ 07869

Winfield United, LLC
4001 Lexington Ave. N
Arden Hills, MN 55126

WHEREAS, the bids have been reviewed by the Division of Purchasing and Bey Lea Golf Course, and they have recommended that contracts be awarded, as follows:

Reed and Perrine Sales Inc. – Item Nos.: 1, 9, 13, 19, 31, 51 and 87.

Davisson Golf Inc. - Item Nos.: 88-90, 94 and 97.

Plant Food Company Inc. – Item Nos. 72, 73, 76-78, 91-93, 95, 96, 98, 100, 102, 103, 110, 116-120, 123 and 126.

Harrell's, LLC – Item Nos.: 30, 39, 84, 107, 109, 121 and 125.

Fisher & Son Company, Inc. – Item Nos.: 6, 18, 36, 41 and 124.

Seeton Turf Warehouse, LLC – Item Nos.: 37, 42, 80, 99, 101, 106, 114 and 115.

SiteOne Landscape LLC. - Item Nos.: 16, 25, 60, 82 and 104.

Nutrien AG Solutions Inc. - Item Nos.: 2, 4, 10, 14, 17, 45, 49, 54, 56, 57, 59 and 69.

Levitt's LLC – Item Nos.: 11, 35, 43 and 85.

Helena Agri - Item Nos.: 20-22, 26, 28, 29, 32, 33, 40, 46, 50, 52, 53, 58, 62, 65, 81, 105, 108 and 122.

Tri-State Materials LLC t/a Green Pro Materials – Item Nos.: 63 and 127.

Grass Roots Turf Products Inc. – Item Nos.: 3, 5, 7, 8, 12, 15, 23, 24, 27, 34, 38, 44, 47, 48, 55, 61, 64, 66-68, 74, 75, 79, 83, 86 and 111-113.

Outdoor Home Services GP LLC, Outdoor Home Services Midco LLC d/b/a TrueGreen Limited Partnership - Item No.: 71; and

WHEREAS, Winfield United LLC's bid was rejected because they did not complete the Iran Disclosure certification, therefore making them non-responsive; and

WHEREAS, Item No. 70 is removed from the bid because that product no longer exists; and

WHEREAS, Item Number 130 received no bids and will not be rebid. Quotes will be obtained prior to purchase; and

WHEREAS, Item Numbers 128 and 129 were rejected because the bid price was too high. These items will not be rebid. Quotes will be obtained prior to purchase; and

WHEREAS, Item Numbers 15, 28, 29, 32, 37, 38, 39, 41, 46, 48, 49, 50, 52, 53, 67, 68, 69, 113, 114 and 115 were tie bids and awarded by coin toss; and

WHEREAS, Item Numbers 18, 88, and 98 were awarded to the second lowest bidders because the lowest bidders did not meet the specifications; and

WHEREAS, Item Number 95 was awarded to the third lowest bidder because the first and second lowest bidders did not meet the specifications; 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. It hereby awards the contract for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing and Bunker Sand to the following vendors listed who meet all of the bid specifications, as follows:

Reed and Perrine Sales Inc. – Item Nos.: 1, 9, 13, 19, 31, 51 and 87.

Davisson Golf Inc. - Item Nos.: 88-90, 94 and 97.

Plant Food Company Inc. – Item Nos. 72, 73, 76-78, 91-93, 95, 96, 98, 100, 102, 103, 110, 116-120, 123 and 126.

Harrell's, LLC – Item Nos.: 30, 39, 84, 107, 109, 121 and 125.

Fisher & Son Company, Inc. – Item Nos.: 6, 18, 36, 41 and 124.

Seeton Turf Warehouse, LLC – Item Nos.: 37, 42, 80, 99, 101, 106, 114 and 115.

SiteOne Landscape LLC. - Item Nos.: 16, 25, 60, 82 and 104.

Nutrien AG Solutions Inc. - Item Nos.: 2, 4, 10, 14, 17, 45, 49, 54, 56, 57, 59 and 69.

Levitt's LLC – Item Nos.: 11, 35, 43 and 85.

Helena Agri - Item Nos.: 20-22, 26, 28, 29, 32, 33, 40, 46, 50, 52, 53, 58, 62, 65, 81, 105, 108 and 122.

Tri-State Materials LLC t/a Green Pro Materials – Item Nos.: 63 and 127.

Grass Roots Turf Products Inc. – Item Nos.: 3, 5, 7, 8, 12, 15, 23, 24, 27, 34, 38, 44, 47, 48, 55, 61, 64, 66-68, 74, 75, 79, 83, 86 and 111-113.

Outdoor Home Services GP LLC, Outdoor Home Services Midco LLC d/b/a TrueGreen Limited Partnership - Item No.: 71.

2. 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. The contract term shall be for one (1) year, effective March 11, 2019 through March 10, 2020.

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

- a) Division of Purchasing
- b) Chief Financial Officer
- c) Township Attorney
- d) Recreation Dept.
- e) Bey Lea Municipal Golf Course Maintenance

- f) Parks, Buildings & Grounds
- g) All Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contracts awarded to:

Reed and Perrine Sales Inc.
Davisson Golf, Inc.
Plant Food Company Inc.
Harrell's LLC
Nutrien AG Solutions Inc.
Fisher & Son Company Inc.
Seeton Turf Warehouse, LLC
SiteOne Landscape LLC
Levitt's LLC
Helena Agri
Tri-State Materials LLC t/a Green Pro Materials
Grass Roots Turf Products, Inc.
Outdoor Home Services GP LLC, Outdoor Home Services Midco LLC
d/b/a TrueGreen Limited Partnership
Winfield United, LLC,

shall be open-ended with funds being encumbered each time an order is placed 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 accounts at that time.

SHARON SMITH
CHIEF FINANCIAL OFFICER

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF OPEN-ENDED
CONTRACTS TO VARSITY BRANDS HOLDING CO., INC. BSN SPORTS LLC D/B/A
BSN SPORTS; SS EQUIPMENT HOLDINGS, LLC; AND RIDDELL/ALL AMERICAN, AS
LOWEST RESPONSIBLE/RESPONSIVE BIDDERS,
FOR THE SUPPLY OF SPORTING GOODS**

FEBRUARY 26, 2019

WHEREAS, bids were invited on January 31, 2019 for the Supply of Sporting Goods;
and

WHEREAS, bids were received, as follows:

Varsity Brands Holding Co., Inc.
BSN Sports LLC
d/b/a BSN Sports.
PO Box 49
Jenkintown, PA 19046

SS Equipment Holdings, LLC
213 US Highway 22
Green Brook, NJ 08812

Riddell/All American
7501 Performance Lane
North Ridgeville, OH 44039

WHEREAS, the bids have been reviewed by the Division of Purchasing, and recommendation has been made to award contracts, as follows:

Items shall be awarded to the lowest responsible/responsive bidder, as follows:

Varsity Brands Holding Co., Inc., BSN Sports LLC, d/b/a BSN Sports – Item Nos. 1-15, 17-19, 21, 23-26, 30a-c, 32, 33, 35, 37-41, 43, 46, 47, 51, 53-60, 62, 63, 65-70, , 72-74, 76-78, 81, 82, 85-89, 91-93,108-114, 117-120, 124-126, 129-132, 134, 135, 137-140, 213, and 219-222.

SS Equipment Holdings, LLC - Item Nos. 22, 50, 152, 168, 183, 193-207, 210-212, 214, and 215.

Riddell/All American – Item Nos. 31, 52, 71, 133, 153, 155-163, 167, 169, and 171.

Item Nos. 208 and 209 were removed from this bid and will not be rebid. Quotes will be obtained prior to purchase, or items will be purchased from approved vendors or through cooperative contracts.

Item Nos. 16, 20, 27-29, 34, 36, 42, 44, 45, 48, 49, 61, 64, 75, 79, 80, 83, 84, 90, 94-107, 115, 116, 121-123, 127, 128, 136, 141-151, 154, 164-166, 170, 172-182, 184-192, and 216-218, received no bids and will not be rebid. Quotes will be obtained prior to purchase, or items will be purchased from approved vendors or through cooperative contracts.

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 Sporting Goods, as follows:

Varsity Brands Holding Co., Inc., BSN Sports LLC, d/b/a BSN Sports – Item Nos. 1-15, 17-19, 21, 23-26, 30a-c, 32, 33, 35, 37-41, 43, 46, 47, 51, 53-60, 62, 63, 65-70, , 72-74, 76-78, 81, 82, 85-89, 91-93,108-114, 117-120, 124-126, 129-132, 134, 135, 137-140, 213, and 219-222.

SS Equipment Holdings, LLC - Item Nos. 22, 50, 152, 168, 183, 193-207, 210-212, 214, and 215.

Riddell/All American – Item Nos. 31, 52, 71, 133, 153, 155-163, 167, 169, and 171.

Item Nos. 208 and 209 were removed from this bid and will not be rebid. Quotes will be obtained prior to purchase, or items will be purchased from approved vendors or through cooperative contracts.

Item Nos. 16, 20, 27-29, 34, 36, 42, 44, 45, 48, 49, 61, 64, 75, 79, 80, 83, 84, 90, 94-107, 115, 116, 121-123, 127, 128, 136, 141-151, 154, 164-166, 170, 172-182, 184-192, and 216-218, received no bids and will not be rebid. Quotes will be obtained prior to purchase, or items will be purchased from approved vendors or through cooperative contracts. Term of contracts shall commence from March 21, 2019 through March 20, 2021. These contracts will be open-ended 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. The award of these contracts 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) Recreation Dept.
- e) Bey Lea Golf Course Maintenance
- f) Bey Lea Clubhouse
- g) Winding River Ice Skating Rink
- h) Youth Center
- i) Senior Center
- j) Aforementioned vendors

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contracts awarded to Varsity Brands Holding Co., Inc., BSN Sports LLC d/b/a BSN Sports, SS Equipment Holdings, LLC, and Riddell/All American, 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 accounts at that time.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING PAYMENT FOR VCI EMERGENCY VEHICLE SPECIALISTS/BAY HEAD INVESTMENTS, INC., FOR REPAIRS TO AN AMBULANCE INVOLVED IN A MOTOR VEHICLE ACCIDENT, IN THE AMOUNT OF \$23,133.57 (THE VEHICLE WAS SENT TO VCI BY OUR INSURANCE ADJUSTER AND THE REPAIR IS COVERED BY INSURANCE)

FEBRUARY 26, 2019

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 payment to VCI Emergency Vehicle Specialists/Bay Head Investments, Inc., for repairs to an ambulance involved in a motor vehicle accident, in the amount of \$23,133.57, which is covered by insurance. The vehicle involved in the accident was sent to VCI by our insurance adjuster.

2. Funds in the amount of \$23,133.57, (which is covered by insurance), are available in Account No. 9-16- -902-004. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. VCI Emergency Vehicle Specialists/Bay Head Investments, Inc., has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the firm has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which are on file in the Municipal Clerk's Office; and

4. The Township Council of the Township of Toms River, has determined that it is the best interest of the Township of Toms River to authorize payment to VCI.

5. 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) Office of Emergency Management
- e) VCI Emergency Vehicle Specialists/Bay Head Investments, Inc.
43 Jefferson Avenue
Berlin, NJ 08009

CERTIFICATION

THIS IS TO CERTIFY that the funds for the payment to Jesco, Inc., in the amount of \$24,157.28, are available in Account No. 0-16- -902-004 - \$23,486.73 and Account No. 0-01- -V27-611 - \$670.55.

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 J. MANOLIO
CHIEF FINANCIAL OFFICER

Dated: June 29, 2010

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO REJECT ALL
BIDS AS RECEIVED FOR LEASING OF TOWNSHIP FLEET VEHICLES, AND
PURCHASE VEHICLES FROM VARIOUS STATE AND COOPERATIVE CONTRACTS**

FEBRUARY 26, 2019

WHEREAS, bids were invited on November 29, 2018 for the Leasing of Township Fleet Vehicles; and

WHEREAS, only one (1) bid was received from Enterprise Fleet Management, which was non-conforming; and

WHEREAS, specifications were revised and the Township rebid this project on January 16, 2019; and

WHEREAS, bids were received from Mall Chevrolet and Enterprise Fleet Management; and

WHEREAS, Enterprise Fleet Management again took exceptions to the bid specifications and Mall Chevrolet bid pricing which was higher than anticipated and substitutes that were not equivalent; and

WHEREAS, the bids were reviewed by the Purchasing Division and the Finance Department, and they have determined it to be in the best interest of the Township of Toms River to reject the bids as received, and purchase vehicles from various state and cooperative contracts; and

WHEREAS, a separate request will be submitted for those purchases;

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 rejects all bids as received from Enterprise Fleet Management and Mall Chevrolet, and authorizes the purchase of vehicles from various state and cooperative contracts. A separate request will be submitted for those purchases.

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) Enterprise Fleet Management
14002 East 21st Street
Suite 1500
Tulsa, OK 74134
- e) Mall Chevrolet
75 Haddonfield Road
Cherry Hill, NJ 08002

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP

**OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RESCINDING AWARD OF
CONTRACT TO PM AM CORPORATION, FOR ALARM REGISTRATION AND
MANAGEMENT SERVICES FOR THE TOMS RIVER POLICE DEPARTMENT, AND
AUTHORIZING THE REBID OF THESE SERVICES
FEBRUARY 26, 2019**

WHEREAS, bids were received from the following vendors on January 3, 2019 for Alarm Registration and Management Services for the Toms River Police Department, and reviewed by the Purchasing Division and the Department of Police:

Central Square Technologies
1000 Business Center Dr.
Lake Mary, Florida 32746

PM AM Corporation
5430 LBJ Freeway
Suite 370
Dallas, TX 75240

WHEREAS, the bid received from Central Square Technologies was rejected due to many exceptions taken to the bid document, therefore, rendering them non-conforming; and

WHEREAS, recommendation was made to award the contract to PM AM Corporation at the Township Council meeting of January 23, 2019; and

WHEREAS, after the award of contract to PM AM Corporation, exceptions were noticed which make PM AM Corporation non-conforming; and

WHEREAS, the Purchasing Division has requested authorization to rescind the bid of PM AM Corporation for Alarm Registration and Management Services for the Toms River Police Department, and authorize the rebid of these services;

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 to PM AM Corporation for Alarm Registration and Management Services for the Toms River Police Department.
2. It hereby authorizes the Purchasing Division to advertise for rebid of these services.
3. 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) PM AM Corporation
5430 LBJ Freeway
Suite 370
Dallas, TX 75240

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE USE OF VARIOUS
COOPERATIVE CONTRACTS TO PURCHASE EQUIPMENT FOR POLICE VEHICLES
FOR THE TOMS RIVER POLICE DEPARTMENT IN THE TOTAL MAXIMUM CONTRACT
AMOUNT NOT TO EXCEED \$24,451.16**

FEBRUARY 26, 2019

WHEREAS, the Township of Toms River has a need to purchase equipment for police vehicles for the Toms River Police Department; and

WHEREAS, the Division of Purchasing is requesting authorization to use various cooperative contracts to purchase equipment for police vehicles for the Toms River Police Department, as follows:

Emergency Accessories & Installations

250 Haddonfield-Berlin Road

Cherry Hill, NJ 08034

Vendor #81336

<i>Lightbar</i>	IJ8DDDD 795H	Whelen Liberty II w/ 4 red corners 48" Emitter Installed in Lightbar	2	3069.36	\$6,138.72
		Whelen Ion Red/Blue Surface Mount	2	1334.25	\$2,668.50
<i>Lights</i>	I2SM#	Duo	6	93.42	\$560.52
	IONR	Whelen Super LED Ion Red	3	81.00	\$243.00
	IONB	Whelen Super LED Ion Blue	3	81.00	\$243.00
	TLIR	Whelen T Series Ion Red	3	72.90	\$218.70
	TLIB	Whelen T Series Ion Blue	3	72.90	\$218.70
	MCRNTB	Whelen Stud Mount Microns Blue	3	69.66	\$208.98
	MCRNTR	Whelen Stud Mount Microns Red	3	69.66	\$208.98
	VTX609C	Vertex Clear	6	64.26	\$385.56
	IONWC	Whelen Super LED Ion Clear	6	81.00	\$486.00
<i>Speaker</i>	SA315P	Speaker	3	177.12	\$531.36
	SAK*	Speaker Bracket 3 Util	3	22.14	\$66.42
<i>Controller</i>	CCSRNT5	Whelen Cencom Carbide w/TA	3	1050.30	\$3,150.90
	CC5K1	Installation Kit for Carbide	3	0.00	\$0.00
	CANCT16	Control Head Rotary/Push Button	3	0.00	\$0.00
<i>Flasher</i>	SSFFP16	Headlight Flasher 16 SUV Inter	3	69.66	\$208.98
<i>Mic</i>					
<i>Hangers</i>	07-523890-000	Mic Hangers	6	8.92	\$53.52
	C-MCB	Mic Clip Bracket	6	11.35	\$68.10
					\$15,659.94

Vendor #81327

<i>Cage</i>	3P4713SS	Poly Divider	3	307.12	\$921.36
	4K1847UIN13	Divider Kit	3	55.57	\$166.71
	RP47UIN13	Recessed Panel	3	102.75	\$308.25
	SP47BS13	Lower Extension	3	80.25	\$240.75
	PFW4702UIN13A	Pro-Gard Partition w/ Extension	2	546.00	\$1,092.00
	S4702UIN13	Pro-Gard Rear Partition w/seat	2	1000.50	\$2,001.00
	FP47UIN13	Floor Pan	2	156.75	\$313.50
<i>Gunrack</i>	G5040UT	Gunrack Pro-Cell Univ Mount	3	267.75	\$803.25
					\$5,846.82

Municipal Equipment

Enterprise

2703 Fire Rd.

Egg Harbor Township, NJ

08234

Vendor #81332

<i>Console</i>	C-VS-2400-INUT-1	2013-2018 Ford Police Interceptor Utility Veh. Specific 24" Console	3	264.69	\$794.07
	C-EB25-XTL-1P	XTL 2500 Havis Mount Bracket	3	17.35	\$52.05
	C-EB40-CCS-1P	Cencom CCSRNTA Mount Bracket	3	19.20	\$57.60
	C-FP-1	1" Fill Plate	3	6.81	\$20.43
	C-EB20-FRD-1P	1-Piece Equipment Mounting Bracket, 4" Mounting Space, Fits Ford OEM Auxiliary Input/USB Module	3	17.35	\$52.05
	C-AP-0325	3" Accessory Pocket	3	28.50	\$85.50
	C-CUP2-I	Dual Cup Holder	3	26.02	\$78.06
	C-ARM-101	Havis Arm Rest	3	48.65	\$145.95
	C-SM-SA-1	ACTADP,OPT,SWGARM,EM	3	64.43	\$193.29
<i>Push Bumper Window Bars Door Panels</i>	BK0609ITU16	PB400 VS Steel Bumper Full With Mar- Resistant Horizontal Pad	3	278.12	\$834.36
	WK0514ITU12	Window Barrier VS Steel Vertical	2	148.92	\$297.84
	DK0100ITU12	Door Panel VS TPO Plastic Black Installs Over OEM Door Panels	2	166.60	\$333.20

	\$2,944.40
TOTAL PURCHASE	\$24,451.16

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. It authorizes the use of various cooperative contracts to purchase equipment for police vehicles of the Toms River Police Department, State Contract T0106 Police and Homeland Security Equipment and Supplies, from the following: Emergency Accessories & Installations (Vendor #81336, Vendor #81327) in the maximum amount not to exceed \$21,506.76, and Municipal Equipment Enterprise (Vendor #81332) in the total maximum amount not to exceed \$2,944.40, for a total of \$24,451.16.

2. Funds for these purchases for a total contract amount not to exceed \$24,451.16 are available in Account X-04- -237-001.

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) Township Attorney
- c) Division of Purchasing
- d) Police Department
- e) Emergency Accessories & Installations
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034
- f) Municipal Equipment Enterprise
2703 Fire Rd.
Egg Harbor Township, NJ 08234

CERTIFICATION

THIS IS TO CERTIFY that the funds for the use of various cooperative contracts to purchase equipment for police vehicles for the Toms River Police Department from Emergency Accessories & Installations in the total amount of \$21,506.76, and Municipal Equipment Enterprise in the total amount of \$2,944.40, for a total maximum contract amount not to exceed \$24,451.16, are available in Account No. X-04- -237-001.

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN,
TOWNSHIP ENGINEER, TO EXECUTE AN OCEAN COUNTY SOIL CONSERVATION
DISTRICT SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION
APPLICATION FOR THE GILFORD PARK BOAT RAMP PROJECT, AND AUTHORIZING
PAYMENT OF THE REQUIRED PERMIT FEE IN THE AMOUNT OF \$2,170.00**

FEBRUARY 26, 2019

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. Robert J. Chankalian, Township Engineer, is authorized to execute an Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification Application for the Gilford Park Boat Ramp Project, in the Township of Toms River, Ocean County, New Jersey.

2. Payment of the required Permit Fee in the amount of \$2,170.00 is available in Account No. X-04- -238-010. 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) Township Engineer
- d) Purchasing Division
- e) Ocean County Soil Conservation District
714 Lacey Road
Forked River, NJ 08731

CERTIFICATION

THIS IS TO CERTIFY that the funds for the Certification Fee with reference to the Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification Application for the Gilford Park Boat Ramp Project, in the total maximum amount of \$2,170.00, are available in Account No. X-04- -238-010.

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN, TOWNSHIP ENGINEER, TO EXECUTE AN OCEAN COUNTY SOIL CONSERVATION DISTRICT SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION APPLICATION (PERMIT), AND A NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR HIGHWAY OCCUPANCY PERMIT, FOR WORK RELATED TO THE DEMOLITION OF THE RED ROOF INN, AND AUTHORIZING PAYMENT OF THE REQUIRED PERMIT FEES IN THE AMOUNT OF \$1,630.00

**(OCEAN COUNTY SOIL CONSERVATION PERMIT - \$1,235.00
NJDOT HIGHWAY OCCUPANCY PERMIT - \$395.00)**

FEBRUARY 26, 2019

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. Robert J. Chankalian, Township Engineer, is authorized to execute an Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification Application (Permit) for the work related to the demolition of the Red Roof Inn. Funds for

the payment of the required Permit Fee in the amount of \$1,235.00, are available in Account No. X-04- -241-002.

2. Robert J. Chankalian, Township Engineer, is authorized to execute a New Jersey Department of Transportation Application for Highway Occupancy (Permit) for the work related to the demolition of the Red Roof Inn. Funds for the payment of the required Permit Fee in the amount of \$395.00, are available in Account No. X-04- -241-002.

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) Township Attorney
- b) Chief Financial Officer
- c) Township Engineer
- d) Purchasing Division
- e) Ocean County Soil Conservation District
714 Lacey Road
Forked River, NJ 08731
- f) New Jersey Department of Transportation
PO Box 600
Trenton, NJ 08625-0600

CERTIFICATION

THIS IS TO CERTIFY that the funds for the Permit Fee with reference to the Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification Application (Permit), in the amount of \$1,235.00, for the work related to the demolition of the Red Roof Inn, are available in Account No. X-04- -241-002.

THIS IS TO CERTIFY that the funds for the Permit Fee with reference to the New Jersey Department of Transportation Application for Highway Occupancy (Permit), in the amount of \$395.00, for the work related to the demolition of the Red Roof Inn, are available in Account No. X-04- -241-002.

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING
DIVISION AND ENGINEERING DIVISION TO ADVERTISE FOR AND RECEIVE BIDS FOR THE
VETERAN'S PARK (GIRL SOFTBALL FIELD) PARKING LOT EXPANSION PROJECT**

FEBRUARY 26, 2019

WHEREAS, the Township of Toms River is desirous of receiving bid(s) for the following items/project:

VETERAN'S PARK (GIRL SOFTBALL FIELD) PARKING LOT EXPANSION PROJECT

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 Purchasing Division and Engineering Division are hereby authorized to receive bid specifications for the above-mentioned item/project.

2. The Purchasing Division and Engineering Division of the Township of Toms River are hereby authorized to advertise for the receipt of bids for the above-mentioned items/project.

3. 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) Parks, Buildings & Grounds

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING AND
ENGINEERING DIVISIONS TO ADVERTISE FOR AND RECEIVE BIDS FOR
DEMOLITION OF THE RED ROOF INN**

FEBRUARY 26, 2019

WHEREAS, the Township of Toms River is desirous of receiving bid(s) for the following items/projects:

DEMOLITION OF THE RED ROOF INN

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 Purchasing and Engineering Divisions are hereby authorized to prepare bid specifications for the above-mentioned items/projects.

2. The Purchasing and Engineering Divisions of the Township of Toms River are hereby authorized to advertise for the receipt of bids for the above-mentioned items/projects.

3. 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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF VEHICLES
FROM BEYER FORD, LLC, BEYER OF MORRISTOWN, LLC, USING ESCNJ
CONTRACT NUMBER 17/18-21 AND NJ STATE CONTRACT NUMBER 88231, FOR
VARIOUS DEPARTMENTS IN THE TOWNSHIP, IN THE TOTAL MAXIMUM AMOUNT
NOT TO EXCEED \$253,295.92**

FEBRUARY 26, 2019

WHEREAS, pursuant to bids received, a contract was awarded to Beyer Ford, LLC and Beyer of Morristown, LLC, by the Educational Services Commission of New Jersey

Cooperative Pricing System 17/18-21, of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11(5), and Vendors with State Contracts;

WHEREAS, the Purchasing Division is requesting authorization to purchase vehicles for various departments in the Township using NJ State Contract Number 88231 and ESCNJ 17/18-21:

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. It does hereby authorize the purchase of vehicles from the following vendors and cooperative contracts:

DESCRIPTION OF VEHICLES

Beyer Ford
170 Ridgedale Avenue
Morristown, NJ 07960

State of NJ 88231

2019 Ford Transit Wagon T-350 148" High Roof XL (15 passenger)	\$30,034.00		\$30,034.00	@ 1
Heated Power Mirrors/Turn Signals & Long Arm	\$220.00	10%	\$198.00	
Rear Window Defroster	\$175.00	10%	\$157.50	
Running Boards	\$160.00	10%	\$144.00	
2 Additional Keys (four total)	\$75.00	10%	\$67.50	
Exterior Color: White			\$30,601.00	\$30,601.00

ESCNJ 17/18-21

Ford Escape				@ 5
U9G SE 4WD	\$28,995.00	22.60%	\$22,442.13	
Exterior Color: White	delivery \$250.00		\$22,692.13	\$113,460.65

Ford F-250				@ 1
W2B XL 4WD Crew Cab 6.75' Box	\$41,040.00	-30.6%	\$28,481.76	
Optional Snow Plow Prep Package	\$185.00		\$175.75	
Optional Bedliner-trough bed spray in	\$595.00		\$565.25	
	delivery		\$250.00	
			\$29,472.76	\$29,472.76

Ford Explorer				@1
K8B Base 4WD	\$35,510.00	-20.5%	\$28,230.45	
	delivery \$250.00		\$28,480.45	\$28,480.45

Beyer of Morristown
200 Ridgedale Avenue
Morristown, NJ 07960

ESCNJ 17/18-21

Dodge Durango	\$33,990.00	25.30%	\$25,390.53	
SXT AWD	delivery \$250.00		\$25,640.53	\$51,281.06
Exterior Color: White				

TOTAL: \$253,295.92

2. Funds in the amount of \$253,295.92 are available in the following account numbers:

X-04- -243-004	\$	29,472.76
9-01- -C55-552	\$	22,692.13

9-16-	-902-004	\$	22,692.13
X-04-	-237-002	\$	25,640.53
X-13-	-204-103	\$	25,640.53
9-01-	-S75-250	\$	<u>127,157.84</u>

TOTAL: \$ 253,295.92

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) Division of Purchasing
- b) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Township Council
- f) Township Clerk
- g) Beyer Ford, LLC
170 Ridgedale Avenue
Morristown, NJ 07960
- h) Beyer of Morristown, LLC
200 Ridgedale Avenue
Morristown, NJ 07960

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contracts with Beyer Ford, LLC and Beyer of Morristown, LLC, and ESCNJ 17/18-21, for the purchase of vehicles for various departments of the Township, in the total maximum contract amounts not to exceed \$253,295.92, are available as follows:

X-04-	-243-004	\$	29,472.76
9-01-	-C55-552	\$	22,692.13
9-16-	-902-004	\$	22,692.13
X-04-	-237-002	\$	25,640.53
X-13-	-204-103	\$	25,640.53
9-01-	-S75-250	\$	<u>127,157.84</u>

TOTAL: \$ 253,295.92

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

RESOLUTION IMPOSING CHARGES INCURRED UNDER SECTION 111 OF THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE AS A LIEN ON REAL PROPERTY, AND DIRECTING THE TAX COLLECTOR TO COLLECT THESE COSTS, AND IMPOSE INTEREST ON UNPAID COSTS, IN THE SAME MANNER AS PROVIDED FOR IN THE COLLECTION OF

REAL ESTATE TAXES IN THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY

FEBRUARY 26, 2019

WHEREAS, the Township of Toms River adopted the 2006 International Property Maintenance Code (the “Code”) as part of Chapter 335 (Housing and Rental Property Standards) of the Township Code; and

WHEREAS, Section 111 of the Code provides that costs incurred by the Township in remediating conditions on properties in violation of the Code are to be assessed and levied upon lands, and bear interest at the same rate as real property taxes, and be collected and enforced in the same manner as provided for the collection of real property taxes; and

WHEREAS, the Housing and Property Maintenance Supervisor, has filed a Certification of Costs incurred by the Township, which costs are outlined on Schedule “A “, attached to and made part of this resolution;

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 determines the Certification of Costs as set forth as Schedule "A" to be accurate.
- 2) The Tax Collector is authorized and directed to collect the costs listed on the Certification of Costs. The amount shown on the Certification of Costs shall be charged, become, and form part of the real estate taxes next to be assessed and levied upon such property, and shall bear interest at the same rate as real property taxes, and shall be collected and enforced in the same manner as provided for in the collection of real property taxes.
- 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) Chief Financial Officer
 - d) Tax Collector
 - e) Township Attorney
 - f) Housing & Property Maintenance
 - g) Code Enforcement
 - h) Director, Parks, Buildings & Grounds
 - i) Brucato, Barbara
108 Columbine Circle
Toms River, NJ 08755
 - j) The Bank of NY Mellon
c/o Select Portfolio Servicing
Salt Lake City, UT 84165
 - k) Mr. Cooper
18950 Cypress Water Blvd.
Coppell, TX 75019

SCHEDULE “A”

CERTIFICATION OF COSTS

	<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY ADDRESS</u>	<u>TOTAL</u>
1.	412.05	18	108 Columbine Circle	\$333.31
2.	1093.06	1	304 Franklin Avenue	\$441.61
3.	1084.08	3	589 Alfred Lane	\$441.61

If there are any questions concerning the work/labor liens, please contact Craig Ambrosio at 732-341-1000 Ext. 8417. Thank you

RESOLUTION

February 26, 2019

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

Taxi Company License #, Year, Car Description, Vin#

13. A Outstanding Taxi 101--19 2003 Chrysler 05950
 179 Attison Ave
 South Toms River, NJ 08787
 Michael Hock

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

February 26, 2019

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

Name Type of License Taxi Company

05-19 William Olesky	Taxi Driver (Renewal)	AA-1 Taxi Inc.
06-19 Michael Hock	Taxi Driver (Renewal)	A Outstanding Taxi
07-19 Jeffrey Stuhl	Taxi Driver (Renewal)	AA-1 Taxi Inc.
08-19 Thomas Fry	Taxi Driver (Renewal)	AA-1 Taxi Inc.
09-19 Linda Lanphere	Taxi Driver (Renewal)	AA-1 Taxi Inc.

10-19 Lizbeth Fry	Taxi Driver (Renewal)	AA-1 Taxi Inc.
11-19 Hardil Singh	Taxi Driver (Renewal)	7 Star Taxi
12-19 Michael Wulf	Taxi Driver (Renewal)	AA-1 Taxi Inc.
13-19 Navjot Singh	Taxi Driver (Renewal)	Ocean Taxi
14-19 Balkar Mola	Taxi Driver (Renewal)	EZ Taxi
15-19 Carol Smith	Taxi Driver (Renewal)	A Absolutely the Best
16-19 John Edgar	Taxi Driver (Renewal)	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, RELEASING MAINTENANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS MONAGHAN'S LIQUORS, BLOCK 706.03, LOTS 1, 3, 4, 5 AND 40 (1615 Route 37 East)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Monaghan's Liquors, Block 706.03, Lot 1, 3, 4, 5, & 40.

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) Maintenance Cash Bond in the amount of \$4,040.30 currently on deposit in account #X-19- -601-753 is hereby released with applicable interest;

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 120 Exchange, LLC
c/o DJ D'onofrio
952 Lakewood Road
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING REDUCED PERFORMANCE GUARANTEES FOR A MAJOR SUBDIVISION KNOWN AS, HICKORY PINES, BLOCK 165, LOTS 7, 10 AND 11 (2201, 2227 & 2245 Lakewood Road)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Hickory Pines, Block 165, Lots 7, 10 & 11.

WHEREAS, Reduced Performance Bonds have been posted as follows:

- 1) Amended Letter of Credit # IS0025153U in the amount of \$275,685.00 issued by Wells Fargo Bank, which represents the performance guarantee amount.

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) Existing Letter of Credit in the amount of \$827,055.00 originally accepted by way of Resolution 'S', dated March 25, 2014, currently on account # X-18- -101-487, is hereby released and replaced;

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. North River Group, Inc.
57 South Main Street #396
Neptune, NJ 07753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS OCEAN CENTER AS LOWE'S HOME CENTER, BLOCK 414, LOTS 2.01, 2.02, 3, 4.07, 50 AND 57 (Hooper Avenue)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Ocean Center as Lowe's Home Center, Block 414, Lots 2.01, 2.03, 3, 4.07, 50 & 57.

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) Maintenance Surety Bond # 104793318 in the amount of \$9,600.00 is hereby released;

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Lowe's Home Centers, Inc.
PO Box 1111
North Wilkesboro, NC 28656-0001

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS OCEAN CENTER (AKA LOWE'S HOME CENTER), BLOCK 414, LOTS 2.01, 2.02, 3, 4.07, 50 AND 57 (Hooper Avenue)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Ocean Center as Lowe's Home Center, Block 414, Lots 2.01, 2.03, 3, 4.07, 50 & 57.

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) Maintenance Cash Bond in the amount of \$51,900.00 currently on deposit in account # 9-14- -902-101 is hereby released with applicable interest;
- 2) Maintenance Surety Bond #103-590-986 in the amount of \$467,100.00 is hereby released;

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Lowe's Home Centers, Inc.
PO Box 1111
North Wilkesboro, NC 28656-0001

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS ST. ELISABETH'S CHAPEL BY THE SEA, BLOCK 1011, LOTS 150, 151, AND 152 (Third Avenue)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as St. Elisabeth's Chapel by the Sea, Block 1011 Lots 150, 151 & 162.

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) Maintenance Cash Bond in the amount of \$1,600.00 currently on deposit in account # 19- -601-710 is hereby released with applicable interest if any;

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. St. Elisabeth's Chapel By The Sea
5 Third Avenue
Ortley Beach, NJ 08751

Attention: Dennis Bellars

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS ST. ELISABETH'S CHAPEL BY THE SEA, BLOCK 1011 LOTS 150, 151 AND 152 (Third Avenue)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as St. Elisabeth's Chapel by the Sea, Block 1011, Lots 150, 151 & 152.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$440.00, originally accepted by way of Resolution 'K', dated February 9, 2016, in the original amount of \$4,400.00, is hereby accepted and will remain on account to represent the Maintenance Cash Bond;

WHEREAS, the Township Engineer has made an inspection of said Minor Site Plan and finds that all improvements have been satisfactorily completed; and

WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and the acceptance of the Maintenance Guarantees;

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) Previously posted Cash Bond in the amount of \$3,960.00, originally accepted in the amount of \$4,400.00, on account # 9-14- -902-101, is hereby released;
- 2) Maintenance Surety Bond listed in the preamble hereof be and the same is hereby retained;
- 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. Peter Hoelderlin
1049 Mount Benevolence
Newton, NJ 07860

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 578, LOTS 3.01 AND 3.03 (1201 Hooper Avenue)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 578, Lots 3.01 & 3.03.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #106939198 in the amount of \$245,520.00 which represents the ninety percent portion of the performance guarantee amount.

- 2) Check in the amount of \$27,280.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$119,116.50 which represents the initial required 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 Simon Property Group, LP., 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.

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Simon Property Group, LP
1099 RPT P.O. Box 7066
Indianapolis, IN 46207

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 404, Lots 58, 69.02 and 70 (Route 37 West)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township council with respect to a Major Site Plan known as Block 404, Lots 58, 69.02 & 70.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # B1209283 in the amount of \$19,400.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$1,940.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$3,898.99 which represents the initial required 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 Saker ShopRites, Inc., 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.

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Saker ShopRites, Inc.
10 Centerville Road

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE DIVISION OF PURCHASING TO UTILIZE OCEAN COUNTY COOPERATE CONTRACT #B2018-45EA CONTRACT WITH EAGLE PAVING CORPORATION, FOR THE REPLACEMENT OF CURBS AND SIDEWALKS FOR THE DEPARTMENT OF PARKS, BUILDINGS & GROUNDS, WITH AN ESTIMATE OF \$93,647.50 (CONTRACT WILL NOT EXCEED \$100,000.00)

FEBRUARY 26, 2019

WHEREAS, the Division of Purchasing is requesting authorization to utilize Ocean County Cooperative Contract #B2018-45E, to replace curbs and sidewalks for the Department of Parks, Buildings & Grounds; and

WHEREAS, pursuant to bids received, a contract was awarded by the County of Ocean, as Lead Agency for the Ocean County Cooperative Pricing System, Contract No. B2018-45E of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11(6); and

WHEREAS, the aforementioned contract was awarded to Eagle Paving Corporation;

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 Eagle Paving Corporation, for the Replacement of Curbs and Sidewalks, off the Ocean County Cooperative Pricing System, Contract No. B2018-45E, with the estimate as follows. Contract will not exceed \$100,000.00:

OCEAN COUNTY CONTRACT NO. B2018-45E

Eagle Paving Corporation
242 Dover Road
South Toms River, NJ 08757

Washington & Robbins Streets

Remove & Replace:

Item 5	Curb	321 LF	\$ 50.00	\$16,050.00
Item 10	Sidewalk 4"	575.87 sq. yards	\$100.00	\$57,587.00
Item 13	Sidewalk 6"	15.55 sq. yards	\$110.00	\$ 1,710.50
Item 26	Handicap Ramp	2 sq. yards	\$400.00	\$ 800.00

Gazebo

Remove and Replace:

Item 10	Sidewalk 4:	175 sq. yards	\$100.00	\$17,500.00
TOTAL:	\$93,647.50

2. Funds for this contract in the estimated amount of \$93,647.50, are available in Account No. X-04- -238-002. Contract will not exceed \$100,000.00.

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

4.

5. The award of this contract is subject to all terms and conditions of the bid specifications and the Master Contract as awarded by the Ocean County Cooperative Pricing System.

6.

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) Parks, Buildings & Grounds
- e) Eagle Paving Corporation
242 Dover Road
South Toms River, NJ 08757

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Eagle Paving Corporation, in the estimated amount of \$93,647.50, are available in Account No. X-04- -238-002. Contract will not exceed \$100,000.00.

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.

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: February 26, 2019

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Hill, Huryk, Kubiel, Maruca, Rodrick, Turnbach, voting yes, and with Council Member Wittmann abstaining, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS, ARYA PROPERTIES, LLC, BLOCK 235, LOT 5.02 (Kettle Creek Road)

February 26, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 235, Lot 5.02.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$8,400.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$505.00 which represents the initial required 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 Arya Properties, 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.

Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Arya Properties, LLC
130 Central Avenue
PO Box 145
Island Heights, NJ 08732

REPORTS

NONE

APPROVAL OF BILLS

Council President Wittmann asked for a report on the bills.

The Bill List, dated **February 25, 2019** was approved on motion by Council Member Maruca, seconded by Council Member Huryk, and carried with Council Members Hill, Huryk, Kubiak, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes. The following respective exceptions to their votes were noted as abstentions to this vote:

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

Purchase Order 19-00692, 19-00039, 19-00240, 19-00035, and 19-00223, payable to Arya Properties LLC in the amount of \$10,419.73

Purchase Order 19-00039, payable to Frank Sadeghi in the amount of \$94.50.

Purchase Order 19-00039, 19-00240, and 19-00035 payable to Toms River Yacht Club in the amount of \$148.50

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

Purchase Order 18-01556, payable to Ocean County Board of Health in the amount of \$128.00

Purchase Order 18-07404, 19-07437, 19-00228, 19-00597, 19-00622, 19-00625, 19-00626, 19-00627, and 19-00628, payable to Owen Little & Assoc., Inc. in the amount of \$23,000.95

Purchase Order 19-00352, 19-00596, 19-00902, 19-00485 and 19-00798, payable to St Luke's Church in the amount of \$1,968.00

Purchase Order 19-00161, 19-00394 and 19-00885, payable to Toms River Board of Education in the amount of \$11,877,130.00

Purchase Order 19-00352, 19-00596, 19-00902, 19-00485 and 19-00798, payable to Toms River Schools in the amount of \$6,830.00.

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

Purchase Order 14-03696, 17-00117, 19-00035, 19-00223, 19-00226, 19-00236, 19-00589 and 19-00590, payable to Remington & Vernick Engineers in the amount of \$56,704.50

Purchase Order 19-00485 and 19-00798, payable to Recreation Salaries in the amount of \$16,693.45

Purchase Order 19-00619, payable to Borough of Lavallette in the amount of \$920.25

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

Purchase Order 19-00759, payable to Toms River Fire Co. 1 in the amount of \$1,216.43

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

Purchase Order 19-00798, payable to NJ Motor Vehicle Commission in the amount of \$3,311.00

Purchase Order 18-00284, 19-00039 and 19-00240, payable to Dasti & McGuckin in the amount of \$19,264.50

Purchase Order 18-01309 and 19-00231, payable to Gregory McGuckin in the amount of \$5,346.00

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

Purchase Order 18-00284, 19-00039 and 19-00240, payable to Dasti and McGuckin in the amount of \$19,264.50.

Purchase Order 18-01309 and 19-00231, payable to Gregory McGuckin in the amount of \$5,346.00

Purchase Order 19-00485 and 19-00798, payable to Magistrate Salaries in the amount of \$15,270.88

Purchase Order 19-00455, payable to Citta, Holzapfel and Zabarsky in the amount of \$7,750.00

ELECTED OFFICIALS COMMENTS

Mayor Kelaher had no comments.

Councilman Turnbach thanked all the speakers and encourage those who have issues of concern regarding the Resolution to come to the table and talk it out for against hate and bigotry.

Councilwoman Maruca read excerpts from letter received from Joe Nardini regarding a group trip to Trenton to protest the budget cuts March 5th.

Councilwoman Huryk thanked all the speakers that were against hate and bigotry. March 5th she will be protesting at the rally in Trenton. Winters Farmers Market 2-5 first Wednesday of every month, and March 9th Haven Beat the Streets pancake breakfast.

Councilman Kubiak thanked everyone for well wishes while he was out. He spoke regarding comments on a meeting with Scott Gartner on religious issues going on in the community.

Councilman Rodrick spoke regarding Councilwoman Maruca concerns on school funding.

Councilman Hill spoke regarding the abuse of free speech and comments on Redevelopment Plans. North Maple and Hickory will be paved by County this year, and school funding per student aid.

Councilman Wittmann thanked the speakers regarding the hate and bigotry.

PUBLIC COMMENTS

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

Melinda Murray Moich, spoke regarding what was offensive and has environmental issues and other information.

Michael Cohen spoke regarding previous speakers comments and made pointed out the difference.

Tara Herskavitz, 251 Downhill Run, she wants anti-semitism remarks addressed.

Hani Jacobanz supports the resolution.

Rena Yaruvski spoke regarding hate and bigotry.

Judy Fuentes, 1741 Beacon Street, supports equal treatment and suggested that religious bias is getting worse.

Bookie Kalisheen thanked the Council for addressing hate and bigotry.

No further comments from the public appearing, a motion was made by Council Member Kubiell, seconded by Council Member Maruca, and carried to enter into a private Executive Session at 8:24 PM.

A motion was made by Council Member Kubiell, seconded by Council Member Maruca, 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
- Matters of Litigation
- Attorney Client Privilege
- Contract Negotiations
- Land Acquisition

3. The following specific topics were announced.

- 1. Executive Session Minutes: January 23, 2019 and February 12, 2018 Regular Meetings
- 2. Personnel:
- 3. Review of status of all real property acquisitions (voluntary acquisitions and eminent domain actions)
- 4. Review pending litigation matters
- 5. Possible acquisition of real property for open space purposes
- 6. Status of Internal Investigation regarding hostile work environment

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 Huryk | - Present |
| Council Member Kubiell | - Present |
| Council Member Maruca | - Present |
| Council Member Rodrick | - Present |

Council Member Turnbach	- Present
Council Vice-President Hill	- Present
Council President Wittmann	- Present

The Council **reconvened** the public portion at 8:52 P.M., a motion was made by Council Member Huryk, seconded by Council Member Maruca, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Rodrick, Turnbach, and Council Present Wittmann voting yes.

A motion was made by Council Member Rodrick, seconded by Council Member Maruca, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Turnbach, and Council President Wittmann voting yes, and with Council Member Rodrick abstaining, 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, THERFORE, 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:

January 23, 2019 Regular Meeting

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

A motion was made by Council Member Rodrick, seconded by Council Member Maruca, and carried with Council Members Hill, Huryk, Rodrick, and Turnbach voting yes, and with Council Member Kubiell, Maruca and Wittmann abstaining, 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, THERFORE, 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 12, 2019 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 8:54 P. M., on motion with Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes.

GEORGE WITTMANN, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK