

May 14, 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 Pro Temp Kubiell and opened with the salute to the Flag.

Council President Pro Temp Kubiell read the following statement into the record pursuant 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	- Absent
Council Member Turnbach	- Present
Council Vice-President Hill	- Absent
Council President Wittmann	- Absent

A motion was made by Council Member Maruca, seconded by Council Member Kubiell, and Council Members Maruca, and President Pro Temp Kubiell voting yes, and Council Members Huryk and Turnbach voting no, and with Council Members Hill, Rodrick and Wittmann absent, an excused absence for Council Member Rodrick was **NOT** approved.

A motion was made by Council Member Turnbach, seconded by Council Member Huryk, and Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent, to approve an excused absence for Council Member Hill.

A motion was made by Council Member Turnbach, seconded by Council Member Huryk, and Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent, to approve an excused absence for Council Member Wittmann.

APPROVAL OF MINUTES

A motion was made by Council Member Huryk, seconded by Council Member Maruca, and with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent, **the minutes of the Regular Meeting of April 9, 2019 and April 23, 2019, were not approved and were carried to the Regular Meeting of May 23, 2019.**

HONORING RESOLUTIONS AND PRESENTATIONS

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent, to make the following honoring proclamations a part of the Minutes.

Sharon Colucci, Toms River Green Team, spoke regarding Recycled Art Work Winners, and presented congratulatory certificates to the following winners:

Camille Buzzerio
Victor Sevchenko
Kaylee Hanna

Save Thrift Shop was presented a 2019 Green Business Award and proceeds go to caring for veterinary bills and supplies for animals.

Township of Toms River

Proclamation

May 14, 2019

WHEREAS, The SAVE Thrift Shop is being recognized as a “Toms River Green Business” by the Toms River United Sustainability Team; and

WHEREAS, 100% of the proceeds from The SAVE Thrift Shop go towards the animals in their care; and

WHEREAS, SAVE provides testing, vaccinations, spay/neuter, medical care, food and other much needed supplies; and

WHEREAS, Their shelter takes unwanted, homeless and abandoned animals and provides them with medical care and a safe and nurturing environment until they find their forever homes; and

WHEREAS, The Thrift shop, is located at 777 Fischer Blvd. in Toms River, established in 2002 and is a 501c3, it raises funds to cover vet bills for specialized care; and

WHEREAS, The SAVE Thrift Shop, established a no kill adoption center at 1594 Lakewood Road, Unit 5 in Toms River and hosts two Tricky Trays that sell out each year, a Spring Fling in April and Party 4 Paws each September

NOW, THEREFORE, We, Mayor THOMAS F. KELAHER, and Council President GEORGE E. WITTMANN Jr. of the Township of Toms River, on behalf of us, the Township Council, and the residents of the Township of Toms River, do honor The SAVE Thrift Shop, and thank them for their humanitarian service to the Community

Mayor Thomas F. Kelaher

George E. Wittman Jr. Council President

Brian Kubiak

Maria L. Maruca

Maurice B. Hill, Jr.

Laurie A. Huryk

Daniel T. Rodrick

Terrance L. Turnbach

Township Administrator Guardian presented proclamation to Eagle Scout Kevin O'Reilly.

Township of Toms River

Proclamation

Eagle Scout Court of Honor

May 14, 2019

WHEREAS, Kevin O'Reilly is involved with the Boy Scout Program, currently as a member of Boy Scout Troop 59 in Toms River; and

WHEREAS, Kevin O'Reilly has progressed through the ranks of Cub Scouts and Boy Scouts, and has achieved the rank of Eagle Scout; and

WHEREAS, to achieve the rank of Eagle Scout, a scout must have a minimum of twenty-two months tenure, have earned at least seven skill awards, logged a minimum of eighteen hours community service time, served at least sixteen months as a troop leader in three of eleven leadership positions, and have amassed at least twenty-one merit badges (eleven of which are required by the Boy Scouts of America National Committee); and

WHEREAS, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All of these requirements must be completed prior to a scout's 18th birthday; and

WHEREAS, Kevin O'Reilly has successfully completed all requirements to receive the rank of Eagle Scout, including his special Eagle Scout project which was to facilitate the assembly and delivery of 35 care packages to U.S. Military personnel at Camp Erbel in Northern Iraq, including one to a Toms River native/Eagle Scout, stationed in Japan,

NOW, THEREFORE, We, Mayor THOMAS F. KELAHER, and Council President GEORGE E. WITTMANN Jr. of the Township of Toms River, on behalf of us, the Township Council, and the residents of the Township of Toms River, congratulate Kevin O'Reilly on his achievement of becoming an Eagle Scout, and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and effort for the good of his community.

Mayor Thomas F. Kelaher

George E. Wittmann, Jr.
Council President

Brian S. Kubiel

Maria L. Maruca

Maurice B. Hill, Jr.

Laurie A. Huryk

Daniel T. Rodrick

Terrance T. Turnbach

Council Member Huryk presented proclamation for National Gun Violence Awareness.

Township of Toms River

Proclamation

National Gun Violence Awareness Day

June 7, 2019

WHEREAS, June 7th, 2019 has been designated as National Gun Violence Awareness Day, to ascertain that we honor and remember all victims and survivors of gun violence across our nation; and

WHEREAS, the health, safety and welfare of American citizens is the primary responsibility of mayors and law enforcement officers who are best suited to make decisions to keep all citizens safe; and

WHEREAS, through this Proclamation, Toms River would be joining over three dozen N.J. municipalities and hundreds of others in support of the Wear Orange movement. This movement was started in Chicago in 2013 by friends of Hadiya Pendleton, a fifteen year old honor student who was shot in the back while innocently standing in the park with her friends after taking an exam. This senseless act of violence, perpetuated the formation of a national coalition of organizations to honor this young woman and all Americans killed by guns; and

WHEREAS,

- Americans are twenty-five times more likely to be killed with guns than people in other developed countries.*
- Approximately 1300 children die from firearms injuries each year.*
- 19 lives are lost every day to gun violence,*
- 5790 children are treated for gunshot wounds every year.*
- Firearms injuries are the 3rd leading cause of death in children ages 1-17 years.*
- Firearms injuries are the 2nd leading cause of injury-related death in children ages.1-17 years, second only to motor vehicle accidents; and*

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people.

NOW, THEREFORE, We, Mayor THOMAS F. KELAHER, and Council President GEORGE E. WITTMANN Jr. of the Township of Toms River, on behalf of us, the Township Council, and the residents of the Township of Toms River, join the campaign to wear orange on June 1, 2018 symbolizing the value of human life and to help raise awareness about gun violence.

Mayor Thomas F. Kelaher

George E. Wittmann Jr. Council President

Brian S. Kubiel

Maria L. Maruca

Maurice B. Hill, Jr.

Laurie A. Huryk

Daniel T. Rodrick

Terrance T. Turnbach

Councilman Turnbach introduced and presented a proclamation to the President of American Legion Ladies Auxiliary Unit 29 for Poppy Month.

Township of Toms River Proclamation

*MAY, 2019 AS
POPPY MONTH”*

WHEREAS, *the annual sale of Poppies by the American Legion Auxiliary of the United States has been officially recognized and endorsed by governmental leaders since 1922; and*

WHEREAS, *American Legion Auxiliary Poppies are assembled by disabled veterans and the proceeds of this most worthy fund raising campaign are used exclusively for the benefit of disabled and needy veterans and widows and children of deceased veterans; and*

WHEREAS, *the annual sale of Poppies enables all citizens to “Honor the Dead By Helping the Living” and pay tribute to the sacrifices made by members of the Armed Forces to protect the freedoms that we all enjoy as citizens of the greatest country on Earth; and*

WHEREAS, *members of the American Legion Auxiliary, Unit 129 will be distributing these poppies on May 1, 2019 through May 31, 2019; and*

WHEREAS, *the Township of Toms River does hereby urge our residents and visitors to participate in this worthwhile endeavor which displays our gratitude to the men and women of our armed forces who are on constant vigil in defense of our nation.*

NOW, THEREFORE, *We, Mayor THOMAS F. KELAHER, and Council President GEORGE E. WITTMANN Jr. of the Township of Toms River, on behalf of us, the Township Council, and the residents of the Township of Toms River do hereby urge our residents and visitors to participate in this worthwhile endeavor which displays our gratitude to the men and women of our armed forces who are on constant vigil in defense of our nation.*

Mayor Thomas F. Kelaher

George E. Wittmann Jr. Council President

Brian Kubiel

Maria L. Maruca

Maurice B. Hill, Jr.

Laurie A. Huryk

Daniel T. Rodrick

Terrance L. Turnbach

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

A motion was made by Council Member Maruca, 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 Pro Temp Kubiell announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith.

Township Clerk Carlisle announced the Planning Board requested an added clarification on a definition on the ordinance.

On motion by Council Member Turnbach, seconded by Council Member Maruca and carried, the public hearing was closed.

Council Member Maruca offered the following ordinance and Council Member Turnbach seconded the motion, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent, that the **Ordinance be carry to the next Council Meeting of May 28, 2019**

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

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

**ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN
COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 450 (STREETS
AND SIDEWALKS) TO ESTABLISH REGULATIONS GOVERNING THE OPERATION OF
MOTOR VEHICLES ON FLOODED STREETS**

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 President Pro Temp Kubiell announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith. There was no response.

On motion by Council Member Huryk, seconded by Council Member Turnbach and carried, the public hearing was closed.

Council Member Maruca, 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	Absent
Council Member Turnbach	Present
Council Vice-President Hill	Absent
Council President Wittmann	Absent

A motion was made by Council Member Huryk, seconded by Council Member Maruca, and with all Council Members who were present voting yes, to approve the following Resolution:

RESOLUTION AUTHORIZING THE READING OF THE TOWNSHIP OF TOMS RIVER 2019 CALENDAR YEAR BUDGET BY TITLE ONLY

MAY 14, 2019

WHEREAS, the statutory requirements regarding advertisement, posting and availability of the 2019 Calendar Year Local Municipal Budget of the Township of Toms River have been met;

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 2019 Calendar Year Local Municipal Budget of the Township of Toms River shall be read by title only pursuant to Statute.

2. Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Chief Financial Officer
- b. Municipal Attorney
- c. Auditor
- d. State of New Jersey
Division of Local Government Services
PO Box 803
Trenton, NJ 08625

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	Absent
Council Member Turnbach	Yes
Council Vice-President Hill	Absent
Council President Wittmann	Absent

2019 Municipal Budget Public Hearing

President Pro Temp Kubiel opened the Public Hearing and asked if anyone wished to speak.

There were no response.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiel voting yes, and Council Members Hill, Rodrick and Wittmann absent, **to close the public hearing.**

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiel voting yes, and Council Members Hill, Rodrick and Wittmann absent, **to adopt the 2019 Municipal Budget.**

CONSENT AGENDA

President Pro Temp Kubiak 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 Maruca, seconded by Council Member Huryk, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiak voting yes, and with Council Members Hill, Rodrick and Wittmann absent, to approve all the following items listed on the Consent Agenda, except item **M, N, O and Z**, which were done separately.

R E S O L U T I O N

MAY 14, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO THE PROPERTIES ARE 100% DAV EXEMPT, AND THE HOMESTEAD REBATE CHECKS WERE APPLIED TO PROPERTIES AND NOW MUST BE REFUNDED, 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>BENNER, KENNETH A & KATHRYN D.</i>	<i>192.35</i>	<i>455</i>	<i>2019/2</i>	<i>\$ 213.12</i>
<i>HOCK, ROBERT & LAURA</i>	<i>1056.04</i>	<i>48</i>	<i>2019/2</i>	<i>233.13</i>
<i>HOFFMAN, IRENE</i>	<i>171.01</i>	<i>21</i>	<i>2019/2</i>	<i>213.48</i>
<i>LAUDISI, PATRICK & LYNN</i>	<i>443.30</i>	<i>107.03</i>	<i>2019/2</i>	<i>500.00</i>
<i>MCVAUGH, JAMES C. & PHYLLIS</i>	<i>608.01</i>	<i>2</i>	<i>2019/2</i>	<i>194.61</i>
<i>PACI, JAMES & MARIE</i>	<i>135.09</i>	<i>30</i>	<i>2019/2</i>	<i>214.06</i>
<i>TRAINER, THOMAS & ELEANOR</i>	<i>715</i>	<i>219</i>	<i>2019/2</i>	<i>146.13</i>
<i>TOTALS:</i>				<i>\$1,714.53</i>

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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

MAY 14, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A COUNTY BOARD TAX APPEAL,

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>HOOPER AVENUE LLC @R.C.SHEA & ASSOCIATES</i>	<i>394.06</i>	<i>124.01</i>	<i>2018/4</i>	<i>\$4,328.55</i>
<i>TOTAL:</i>				<i>\$4,328.55</i>

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

Approved as to content:

RESOLUTION AUTHORIZING THE SALE OF ABANDONED AND/OR UNCLAIMED MOTOR VEHICLES PURSUANT TO N.J.S.A. 39:10A-1 ET SEQ.

May 14, 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 the sale at public auction of the following abandoned and/or unclaimed motor vehicles pursuant to the provisions of N.J.S.A. 39:10A-1 et seq., on Wednesday, May 29, 2019 at 10:00 a.m. at Accurate Automotive, 11:00 a.m. at Priced-Rite Towing and 12 noon at Freedom Towing:

Vehicles for Auction with Titles:

Request to hold abandoned vehicle auctions on Wednesday, May 29, 2019 at the following locations and times:

Accurate Automotive, 14 James St., Toms River, NJ at 10:00 a.m.

YEAR	MAKE	VIN#
2004	HONDA	1HGCM72254A026782

Priced-Rite Towing, 24 Germania Station Rd., Toms River, NJ at 11:00 a.m.

YEAR	MAKE	VIN#
2009	NISSAN	1N4AL24E69C133408
1998	FORD	1FTRX18LXWNC24279

Freedom Towing, 1725 Lakewood Road, Unit 1, Toms River, NJ at 12 noon

YEAR	MAKE	VIN#
2005	HYUNDAI	KMHWF35H85A143607

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

- a) Attorney
- b) Chief of Police Mitch Little
- c) Chief Financial Officer
- d) Accurate Automotive
14 James St.
Toms River, NJ 08753
- e) Priced-Rite Towing
24 Germania Station Road
Toms River, NJ 08755
- f) Freedom Towing
1725 Lakewood Road, Unit 1,
Toms River, NJ

**LEGAL NOTICE
TOWNSHIP OF TOMS RIVER
PUBLIC SALE**

TAKE NOTICE that the undersigned shall expose for sale in accordance with R.S. 39:10A-1, at public auction on **WEDNESDAY, May 29, 2019 at 10:00 a.m. at Accurate Automotive, 11:00 a.m. at Priced-Rite Towing and 12 noon at Freedom Towing** the below described motor vehicle(s) which came into the possession of the Township of Toms River Police Department through abandonment or failure to claim same within 30 days. The public auction will take place at the above indicated date, time and location(s). The motor vehicle(s) may be examined at the indicated location(s) Monday through Friday, 9:00 a.m. to 5:00 p.m.

All vehicle(s) listed have clear title. Failure to inspect said vehicle(s) will not be considered as cause for any claim for adjustment whatsoever. **ALL SALES WILL BE FINAL.** Cash or check will be required at the time of the sale when the sale is completed. Vehicle(s) must be removed from the premises at the purchaser's expense within 48 hours of sale date. Opening bids start at tow expense.

Vehicles For Auction with Titles:

Accurate Automotive, 14 James St., Toms River, NJ at 10:00 a.m.

YEAR	MAKE	VIN#
2004	HONDA	1HGCM72254A026782

Priced-Rite Towing, 24 Germania Station Rd., Toms River, NJ at 11:00 a.m.

YEAR	MAKE	VIN#
2009	NISSAN	1N4AL24E69C133408
1998	FORD	1FTRX18LXWNC24279

Freedom Towing, 1725 Lakewood Road, Unit 1, Toms River, NJ at 12 noon

YEAR	MAKE	VIN#
2005	HYUNDAI	KMHWF35H85A143607

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT TO DOT DESIGNING LLC, AS SOLE BIDDER MEETING ALL THE SPECIFICATIONS, FOR CUSTOM SIGNS AND BANNERS TO BE UTILIZED AS NEEDED, FOR VARIOUS DEPARTMENTS IN THE TOWNSHIP, FOR A TWO (2) YEAR TERM, COMMENCING JUNE 15, 2019 THROUGH JUNE 14, 2021

MAY 14, 2019

WHEREAS, bids were invited on April 30, 2019 for Custom Signs and Banners to be utilized as needed for various departments in the Township; and

WHEREAS, only one bid was received, as follows:

Dot Designing LLC
 242 Possum Hollow Road
 Monroe Township, NJ 08831

1. First Year: (June 15, 2019 through June 14, 2020)
 Hourly Rate: \$44.00

2. Second Year: (June 15, 2020 through June 14, 2021)
 Hourly Rate: \$44.00

3. Cost of Materials (Parts) Above Dealer's Cost: 45%

WHEREAS, the bid has been reviewed by the Purchasing Division, and they have recommended that an open-ended contract be awarded to DOT Designing LLC, as sole bidder meeting all the specifications, at a total cost of \$44.00 per hour for year one, and \$44.00 per hour for year two, with a 45% markup on materials above dealer's cost;

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 Custom Signs and Banners to be utilized as needed for various departments in the Township, to DOT Designing LLC, as sole bidder meeting all the specifications, at a total cost of \$44.00 per hour for year one, and \$44.00 per hour for year two, with a 45% markup on materials above dealer's costs, for a two year term commencing June 15, 2019 through June 14, 2021.

2. The award of this contract is subject al all the other terms and conditions of the bid specifications. Funds are available for purchases on an as-needed basis subject to availability of funds. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one year terms after the expiration of the original contract period, contingent upon approval of the governing body by resolution with the agreement of the vendor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Parks, Buildings & Grounds
- e) Public Works Dept.
- f) Police Department
- g) Recreation Department
- h) Aforementioned bidder

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to DOT Designing LLC, at a total cost of \$44.00 per hour for year one, and \$44.00 per hour for year two, with a 45% markup on materials above dealer's costs, are available for purchases on an as-needed basis, subject to availability of funds.

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: May 14, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO P & A
CONSTRUCTION INC., AS LOWEST BIDDER MEETING ALL THE BID SPECIFICATIONS,
FOR THE 2019 TOWNSHIP WIDE PAVING PROGRAM (FY2017), IN THE TOTAL
MAXIMUM CONTRACT AMOUNT OF \$4,344,180.00**

MAY 14, 2019

WHEREAS, bids were invited on April 30, 2019 for the 2019 Township Wide Paving Program (FY2017); and

WHEREAS, bids were received as follows:

<u>Vendors:</u>	<u>Total Bid</u>
P & A Construction Inc. PO Box 28 Colonia, NJ 07067	\$4,344,180.00
Earle Asphalt Company PO Box 556 Farmingdale, NJ 07727	\$4,779,013.00
Meco Inc. PO Box 536 Clarksburg, NJ 08510	\$4,836,475.00
CJ Hesse Inc. PO Box 207 Belford, NJ 07718	\$4,948,175.00

Black Rock Enterprises LLC
 1316 Englishtown Rd.
 Old Bridge, NJ 08857 \$5,387,450.00

P.M. Construction Corp.
 1310 Central Ave.
 Hillside, NJ 07205 \$5,425,250.00

WHEREAS, the bids have been reviewed by the Purchasing Division, and the Engineering Division, and they have recommended that a contract be awarded to P & A Construction Inc., as lowest bidder meeting all the bid specifications, at a total contract price of \$4,344,180.00;

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

1. It hereby awards a contract for the 2019 Township Wide Paving Program (FY2017) to P & A Construction Inc., as lowest bidder meeting all the bid specifications, at a total contract price of \$4,344,180.00.

2. The award of this contract is subject al all the other terms and conditions of the bid specifications. Funds are available in the following Account Nos.:

X-04- -233-001	\$ -0-
X-04- -224-001	\$ 338,039.92
X-04- -239-001	\$3,344,180.00
X-04- -203-003	\$ 77,698.92
X-04- -203-007	\$ 26,354.72
X-04- -220-001	\$ 16,482.65
X-04- -213-001	\$ 5,452.39
X-04- -230-001	\$ 535,971.40

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

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to P & A Construction Inc., are available in the following Account Nos.:

X-04- -233-001	\$ -0-
X-04- -224-001	\$ 338,039.92
X-04- -239-001	\$3,344,180.00
X-04- -203-003	\$ 77,698.92
X-04- -203-007	\$ 26,354.72

X-04- -220-001	\$ 16,482.65
X-04- -213-001	\$ 5,452.39
X-04- -230-001	\$ 535,971.40

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: May 14, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AWARD OF AN OPEN-ENDED
CONTRACT TO ORIGINAL WATERMEN INC., AS THE SOLE BIDDER MEETING ALL BID
SPECIFICATIONS, FOR WORK, SPORT AND LIFEGUARD CLOTHING REBID ITEMS**

MAY 14, 2019

WHEREAS, the Division of Purchasing of the Township of Toms River has requested authorization to award an open-ended contract for Work, Sport and Lifeguard Clothing Rebid Items; and

WHEREAS, a sole bid was received from the following bidder on April 10, 2019, for Work, Sport and Lifeguard Clothing Rebid Items, and was reviewed by the Division of Purchasing, as follows:

Original Watermen Inc.
1198 Joshua Way
Vista, CA 92081

Items shall be awarded as follows:

Original Watermen Inc. for Item Numbers: 87, 101, 102, 106, and 111.

Item numbers 27, 55, 82-86, and 127 received no bids. Quotes will be obtained prior to the purchase of these items.

WHEREAS, recommendation has been made by the Division of Purchasing to award an open-ended contract to Original Watermen Inc. as the sole bidder meeting all the bid specifications for Work, Sport and Lifeguard Clothing Rebid Items;

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

1. It hereby awards an open-ended contract for Work, Sport and Lifeguard Clothing Rebid Items to Original Watermen Inc., as the sole bidder meeting all the bid specifications for item numbers 87, 101, 102, 106 and 111. Term of Contract: The award of this contract shall be retroactive to April 24, 2019 through April 23, 2020. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. This will be an open-ended contract with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget.

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) Township Attorney
- d) Department of Public Works
- e) Parks, Buildings and Grounds
- f) Department of Recreation
- g) Senior Center
- h) Youth Center
- i) Winding River
- j) Bey Lea
- k) Animal Shelter
- l) Original Watermen Inc.
1198 Joshua Way
Vista, CA 92081

CERTIFICATION

THIS IS TO CERTIFY that the funds for contract awarded to Original Watermen Inc. for Work, Sport and Lifeguard Clothing Rebid Items is an open-ended contract with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget year.

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 orders will encumber the funds for the affected account at that time.

SHARON E. SMITH
CHIEF FINANCIAL OFFICER

Dated: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO AN AGREEMENT WITH JAMES M. RUTALA ASSOCIATES, LLC, FOR GRANTS CONSULTANT SERVICES, IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$25,000.00

MAY 14, 2019

WHEREAS, the Purchasing Division has requested the Township for authorization to enter into an Agreement for Grants Consultant Services with James M. Rutala Associates, LLC, 717 River Drive, Linwood, NJ, 08221; and

WHEREAS, James M. Rutala Associates, LLC, 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

WHEREAS, the Township Council has determined that it is the best interest of the Township of enter into an Agreement with James M. Rutala Associates, LLC, for Grants Consultant 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 authorizes the Township to enter into an agreement with James M. Rutala Associates, LLC, for Grants Consultant Services, in the total maximum contract amount not to exceed \$25,000.00.

2. Funds for this purchase, in the total maximum amount not to exceed \$25,000.00, are available in Account No. 9-01- -F12-534. 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) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) James M. Rutala Associates, LLC
717 River Drive
Linwood, NJ 08221
Attn: James M. Rutala, PP, AICP, MBA

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with James M. Rutala Associates, LLC, for a total maximum amount not to exceed \$25,000.00, are available in Account No. 9-01- -F12-534.

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: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT FOR ONE (1) NEW AND UNUSED SINGLE AXLE DUMP BODY WHITE GOODS TRUCK WITH CAB & CHASSIS, 37700 LB. GVW MINIMUM, TO ROBERT H. HOOVER & SONS, INC., WHO MEETS ALL OF THE BID SPECIFICATIONS, FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$164,903.00

MAY 14, 2019

WHEREAS, bids were received on May 2, 2019, for one (1) new and unused single axle dump body white goods truck with cab & chassis, 37,700 LB. GCW minimum; and

WHEREAS, bids were received, as follows:

	Robert H Hoover & Sons Inc	Mid-Atlantic Truck Centre
	149 Gold Mine Rd	525 Linden Ave
	Flanders, NJ 07836	Linden, NJ 07036
ONE (1) SINGLE AXLE DUMP BODY WHITE GOODS TRUCK WITH CAB & CHASSIS 37,700 LB GVW MINIMUM WITH DUMP BODY AND TUCK-AWAY LIFT GATE	\$164,903.00	\$137,759.00
Make Cab/Chassis Bid:	FREIGHTLINER	INTERNATIONAL
Model Bid:	108 SD, Year Bid 2020	HV607, Year Bid 2020
Less Trade in 2009 International DT 466 Max Force Dump Body VIN #1HTWDAAR3AJ192899	\$5,000.00	\$19,500.00
GRAND TOTAL BID	\$159,903.00	\$118,259.00
Delivery Date:	180-270 DAYS ARO	\$43,739.00

WHEREAS, the bids have been reviewed by the Division of Purchasing and the Department of Public Works, and they have determined that the numerous exceptions taken by Mid-Atlantic Truck Centre make them non-responsive; and

WHEREAS, the Township has decided not to trade in the 2009 vehicle for \$5,000.00;

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

1. It hereby awards a contract to Robert H. Hoover & Sons, Inc., who meets all of the bid specifications, for one (1) new and unused single axle dump body white goods truck with cab & chassis, 37,700 lb. GVW minimum, for a total contract price not to exceed \$164,903.00. Funds in the maximum contract price not to exceed \$164,903.00 are available in Account Nos. X-04- -243-001 - \$36,107.00, and X-04- 237-004 -\$128,796.00.

2. The award of this contract is subject to all the terms and conditions of the bid specifications.

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) Robert H. Hoover & Sons, Inc.
149 Gold Mine Road
Flanders, NJ 07836
- f) Mid-Atlantic Truck Centre
525 Linden Avenue
Linden, NJ 07036

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Robert H. Hoover & Sons, Inc. for a total contract price not to exceed \$164,903.00, are available in the following Account Nos.:

X-04- -243-001 - \$ 36,107.00

X-04- 237-004 - \$ 128,796.00

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: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT TO TIMOTHY PETERS PLUMBING & HEATING CO., INC., FOR LICENSED PLUMBER SERVICES, AS LOWEST BIDDER MEETING ALL THE BID SPECIFICATIONS, COMMENCING RETROACTIVE TO APRIL 27, 2019 THROUGH APRIL 26, 2021

MAY 14, 2019

WHEREAS, bids were received on March 6, 2019 for Licensed Plumber Services; and

WHEREAS, resolution of the Township Council dated March 26, 2019 rejected the only bid from Magic Touch Co., Inc., and authorized rebid for this service; and

WHEREAS, rebids were received, as follows:

Timothy Peters Plumbing & Heating Co., Inc.
 PO Box 1847
 Toms River, NJ 08754.

1.	First Year:		
	Journeyman/Plumber Hourly Rate:	\$ 87.62	
	Apprentice Hourly Rate:	\$ 41.31	

	Sum of Item 1.		\$128.93
2.	Second Year:		
	Journeyman/Plumber Hourly Rate:	\$ 89.82	
	Apprentice Hourly Rate:	\$ 43.51	

	Sum of Item 2.		\$133.33
	Total Sum of Items 1 & 2:		\$262.26
	Total Bid (Sums of 1 & 2 divided by 2):		\$131.13
3.	Cost of Materials above Dealer's Cost:		10.00%
4.	New Jersey State License Number:		B107116

Magic Touch Construction Co., Inc.
 59 West Front Street
 Keyport, N.J. 07735

1.	First Year:		
	Journeyman/Plumber Hourly Rate:	\$ 87.62	
	Apprentice Hourly Rate:	\$ 40.82	

	Sum of Item 1.		\$128.44
2.	Second Year:		
	Journeyman/Plumber Hourly Rate:	\$ 89.82	
	Apprentice Hourly Rate:	\$ 47.81	

	Sum of Item 2.		\$137.63
	Total Sum of Items 1 & 2:		\$266.07
	Total Bid (Sum of Items 1 & 2 divided by 2):		\$133.04
3.	Cost of Materials above Dealer's Cost:		10.00%
4.	New Jersey State License Number:		36BI00712400

WHEREAS, the bids have been reviewed by the Purchasing Division, Law Division, and the Department of Parks, Buildings & Grounds, and it is their recommendation that an open-ended contract be awarded to Timothy Peters Plumbing & Heating Co., Inc., as the lowest bidder meeting all the bid specifications, over two (2) years;

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 Licensed Plumber Services to:

Timothy Peters Plumbing & Heating Co., Inc.
 PO Box 1847
 Toms River, NJ 08754.

1.	First Year:	
	Journeyman/Plumber Hourly Rate:	\$ 87.62
	Apprentice Hourly Rate:	\$ 41.31

	Sum of Item 1.	\$128.93
2.	Second Year:	
	Journeyman/Plumber Hourly Rate:	\$ 89.82
	Apprentice Hourly Rate:	\$ 43.51

	Sum of Item 2.	\$133.33
	Total Sum of Items 1 & 2:	\$262.26
	Total Bid (Sums of 1 & 2 divided by 2):	\$131.13
3.	Cost of Materials above Dealer's Cost:	10.00%
4.	New Jersey State License Number:	B107116

2. Term of Contract: retroactive to April 27, 2019 through April 26, 2021, with the option to extend for up to two (2) additional one (1) year terms, pursuant to N.J.S.A. 40A:11-15. The award of this contract is subject to all the terms and conditions of the bid specifications. This will be an open-ended contract with funds being encumbered each time an order for service is requested, 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.

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) Parks, Buildings & Grounds
- e) Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Timothy Peters Plumbing & Heating Co. Inc., over two (2) years, are contingent upon the availability of funds in the appropriate municipal budget year, as follows:

1.	First Year:	
	Journeyman/Plumber Hourly Rate:	\$ 87.62
	Apprentice Hourly Rate:	\$ 41.31

	Sum of Item 1.	\$128.93

2.	Second Year:	
	Journeyman/Plumber Hourly Rate:	\$ 89.82
	Apprentice Hourly Rate:	\$ 43.51

	Sum of Item 2.	\$133.33
	Total Sum of Items 1 & 2:	\$262.26
	Total Bid (Sums of 1 & 2 divided by 2):	\$131.13
3.	Cost of Materials above Dealer's Cost:	10.00%
4.	New Jersey State License Number:	B107116

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

Dated: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF AN OPEN-ENDED CONTRACT TO GALLS LLC, WHO, AS THE LOWEST BIDDER, MEETS ALL OF THE BID SPECIFICATIONS, FOR UNIFORMS AND SPECIALTY ITEMS FOR SCHOOL CROSSING GUARDS, BICYCLE POLICE, AUXILIARY POLICE, DISPATCHERS, BOOKING OFFICERS, MOTORCYCLE POLICE, COMMUNITY SERVICE OFFICERS, AND ANIMAL CONTROL OFFICERS

MAY 14, 2019

WHEREAS, bids were invited on April 10, 2019 for the Supply of Uniform and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers, and Animal Control Officers; and

WHEREAS, bids were received from the following:

Galls LLC	Action Uniform Company LLC
1340 Russell Cave Road	3164 Fire Road
Lexington, KY 40505	Egg Harbor Township, NJ 08234

WHEREAS, the bids have been reviewed by the Purchasing Division, the Department of Police and Animal Shelter, and they have recommended that the award of a contract be made to Galls LLC who, as the lowest bidder, meets all of the bid specifications, as follows:

Galls LLC – Item Nos. 131-136, 212 and 213.

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 an open-ended contract for the Supply of Uniform and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers, and Animal Control Officers, to Galls LLC, for Item Nos. 131-136, 212, and 213.

2. The Term of Contract shall be effective retroactive from April 23, 2019 through April 22, 2020. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of this contract is subject to all terms and conditions of the bid specifications.

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) Office of Emergency Management
- f) Animal Shelter
- g) Information Technology
- h) Aforementioned bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Galls LLC, for uniforms and specialty items for school crossing guards, bicycle police, auxiliary police, dispatchers, booking officers, motorcycle police, community service officers and animal control officers are contingent upon the availability of funds in the appropriate municipal budget year.

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

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: May 14, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN
OPEN-ENDED CONTRACT TO WITT O'BRIEN'S LLC, FOR A TECHNICAL ASSISTANT
CONTRACTOR PUBLIC ASSISTANCE/FEMA PROGRAM SERVICES
(CONTRACT IS SUBJECT TO FEMA REIMBURSEMENT)**

MAY 14, 2019

WHEREAS, bids were invited on April 30, 2019 for a Technical Assistant Contractor Public Assistance/FEMA Program Services; and

WHEREAS, bids were received as follows:

Witt O'Brien's LLC
1201 15TH Street NW
Suite 600
Washington, DC 20005

Louis Berger US Inc.
412 Mt. Kemble Avenue
Morristown, NJ 07960

1. Senior Level Program Advisor	\$120.00	\$ 185.00
2. State Public Assistance Coordinator	\$103.00	\$ 136.00
3. Debris Manager	\$110.00	\$ 120.00
4. Debris Compliance Officer	\$ 96.00	\$ 120.00
5. Mitigation Specialist	\$103.00	\$ 150.00

6. Insurance Specialist	\$103.00	\$ 180.00
7. Grant Administrator I	\$ 96.00	\$ 97.00
8. Grant Administrator II	\$103.00	\$ 107.84
9. Appeals Specialist	\$ 96.00	\$ 130.00
	\$930.00	\$1,225.84

WHEREAS, based on the review of the bids received, recommendation has been made to award an open-ended contract to Witt O'Brien's LLC;

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 an open-ended contract to Witt O'Brien's LLC, as stated above, for a Technical Assistant Contractor Public Assistance/FEMA Program Services, for a period of two (2) years from the date of award, with the option to extend for one (1) additional two-year term, or two (2) additional one (1) year terms, pursuant to N.J.S.A. 40A:11-15. All terms and conditions of the bid specifications are applicable on this contract. This will be an open-ended contract with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget year. Funds are available in Account No. X-99- -906-018 for this purpose. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Office of Emergency Management
- e) All Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Witt O'Brien's LLC, is available in Account No. X-99- -906-018 and is subject to FEMA reimbursement. Funds are contingent upon availability in the applicable municipal budget.

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

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF AN OPEN-ENDED CONTRACT TO UGI ENERGY SERVICES LLC, FOR THE SUPPLY OF NATURAL GAS, PURSUANT TO BIDS RECEIVED AND THE MASTER CONTRACT AWARDED BY THE TOWNSHIP OF STAFFORD AS LEAD AGENCY FOR THE STAFFORD TOWNSHIP COOPERATIVE PRICING SYSTEM, (#033-OCCPS-2018), FOR THE TERM COMMENCING RETROACTIVE TO JANUARY 1, 2019 THROUGH DECEMBER 31, 2021

MAY 14, 2019

WHEREAS, the Township of Toms River is a member of the Stafford Township Cooperative Pricing System, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, on September 25, 2018, the Stafford Township Governing Body approved award of Contract #33-OCCP-2018-264, for the term of January 1, 2019 through December 31, 2021 to South Jersey Energy Company, Mt. Laurel, NJ; and

WHEREAS, South Jersey Energy was recently purchased by UGI Energy Services LLC; and

WHEREAS, the Division of Purchasing is requesting authorization to utilize Stafford Township Cooperative Pricing System Bid #33-OCCPS-2018-264 for the Supply of Natural Gas; and

WHEREAS, the pricing is at a total upcharge unit price of \$4.561/Dekatherm, which represents a fixed price for both Basis/Upcharge and commodity for a period of 24 months – includes both the transportation and the commodity;
Contract Identification No: 033-OCCPS-2018-264

UGI Energy Services LLC
One Meridian Blvd., Suite 2C01
Wyomissing, PA 19601

WHEREAS, the term of this contract shall commence retroactive to January 1, 2019 through December 31, 2021; and

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

1. It hereby authorizes the Purchasing Division to utilize the Stafford Township Cooperative Pricing System Bid #33-OCCPS-2018 for the Supply of Natural Gas for the Township of Toms River as a participating contracting unit of the Stafford Township Cooperative Pricing System Contract I.D. #33-OCCPS-2018-264, commencing retroactive to January 1, 2019 through December 31, 2021.

2. Contract Identification No. 033-OCCPS-2018-264, using:

UGI Energy Services LLC
One Meridian Blvd., Suite 2C01
Wyomissing, PA 19610

3. The pricing is at a total upcharge unit price of \$4.561/Dekatherm, which represents a fixed price for both Basis/Upcharge and commodity for a period of 24 months – includes both the transportation and the commodity.

4. The unit price, as stipulated above, shall remain firm for the entire term of the contract.

5. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon availability of funds in the applicable 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 this contract is subject to all terms and conditions of the bid specifications and the Master Contract as awarded by the Township of Stafford as Lead Agency.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Public Works Department
- e) UGI Energy Services LLC
One Meridian Blvd.
Suite 2C01

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-contract contract with UGI Energy Services LLC, are contingent upon the availability of funds in the appropriate municipal budgets.

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: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE RESOLUTION DATED MARCH 26, 2019, WHICH AWARDED A CONTRACT FOR PROFESSIONAL TRAFFIC PLANNING SERVICES WITH REGARD TO THE TOMS RIVER DOWNTOWN REDEVELOPMENT PLAN, TO BRIGHT VIEW ENGINEERING LLC, IN THE AMOUNT OF \$22,500.00, IN ORDER TO INCREASE THE SCOPE OF WORK FOR THE DOWNTOWN LOOP TRAFFIC STUDY BASED ON ADDITIONAL TRAFFIC COUNT DATA, AS REQUESTED BY THE COUNTY OF OCEAN, FOR AN ADDITIONAL AMOUNT OF \$34,900.00

MAY 14, 2019

WHEREAS, resolution of the Township Council dated March 26, 2019, authorized the retention of Bright View Engineering LLC, for professional traffic planning services with regard to the Toms River Downtown Redevelopment Plan in the amount of \$22,500.00; and

WHEREAS, Bright View Engineering 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

WHEREAS, it is necessary to amend the resolution dated March 26, 2019, in order to increase the Scope of Work of Bright View Engineering LLC, in connection with the Downtown Loop Traffic Study based on additional traffic count data requested by the County of Ocean, for an additional amount of \$34,900.00, and funds are available in Account No. X-04- -224-002;

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 an amendment to the resolution dated March 26, 2019 with Bright View Engineering LLC, in order to increase the Scope of Work for the Downtown Loop Traffic Study based on additional traffic count data as requested by the County of Ocean, in the additional amount of \$34,900.00, and funds are available in Account No. X-04- -224-002.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to an Agreement with Bright View Engineering, LLC, a copy of which will be kept on file in the Office of the Township Clerk.

3. A notice of this action shall be advertised once by the Clerk in the Asbury Park Press.

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) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Engineering Division
- h) Township Planner
- i) Bright View Engineering LLC
5 Pitcairn Drive
Roseland, NJ 07068

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Bright View Engineering LLC, in the amount of \$34,900.00 are available in Account No. X-04- -224-002.

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: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING RENEWAL OF A GENERAL SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND TOMS RIVER MUNICIPAL UTILITIES AUTHORITY FOR VARIOUS SERVICES

MAY 14, 2019

WHEREAS, the Township of Toms River and the Toms River Municipal Utilities Authority are both Public Agencies serving the residents of Toms River Township; and

WHEREAS, each Agency may possess specialized equipment, resources, and expertise of each individual Agency; and

WHEREAS, it is deemed in the best interest of the Public for these Agencies to share such equipment, resources, and expertise;

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to the renewal of a General Shared Services Agreement between the Township of Toms River and the Toms River Municipal Utilities Authority, wherein the parties hereto shall provide for the sharing of resources and services including but not limited to:

- a. The construction of any or all capital improvements as may be authorized by the Agencies from time-to-time, including construction supervision services;
- b. Snow plowing services, e.g., salt, sanding, etc.;
- c. Road construction, maintenance, and repair;
- d. Printing services;

- e. Transportation services;
- f. Custodial services;
- g. Heat, venting, and air conditioning maintenance and repair;
- h. Public building and grounds maintenance and repair;
- i. Engineering and design services;
- j. Surveying services;
- k. Trash collection and disposal;
- l. Vehicle purchasing, maintenance, and repair;
- m. Legal services;
- n. Financial and auditing services;
- o. Information technology, including computer and internet services, maintenance, and repair;
- p. Security and law enforcement services;
- q. Employee labor;
- r. Food services;
- s. Fuel services; and
- t. Sign shop.

A copy of the Shared Services Agreement is attached hereto as Schedule "A" and made a part of this resolution.

2. If during the course of sharing these resources of labor and equipment, labor overtime costs, or out-of-pocket expenses are incurred, it is agreed that these costs will be reimbursable to the providing Agency by the Agency receiving the services.

3. The Administrator of the Township of Toms River and the Executive Director of the Toms River Municipal Utilities Authority or their designee(s) shall have the authority to approve or disapprove any request for sharing of equipment, resources, or services.

4. The term of this Agreement shall be commence retroactive to January 1, 2019 through December 31, 2021. It is the intent to renew this Shared Services Agreement, however, the Agreement may be terminated by either Agency during its term.

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) Public Works Department
- d) Recreation Department
- e) Purchasing Division
- f) Engineering Department
- g) Business Administrator
- h) Mayor Thomas Kelaher
- i) Parks, Buildings & Grounds
- j) Toms River Municipal Utilities Authority
340 West Water Street
Toms River, N.J. 08753
Attn: Robert J. DiBiase
Executive Director

RESOLUTION AUTHORIZING AMENDMENT TO RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY DATED APRIL 23, 2019, AUTHORIZING THE TOWNSHIP TO PURCHASE TEN (10) PANASONIC

TOUGHBOOKS FOR THE DEPARTMENT OF POLICE FROM VENDOR WITH STATE CONTRACT, USING STATE CONTRACT NO. M0483, VENDOR NO. 89980, FROM CDW-G INC., IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$42,250.00

(THE PURPOSE OF THIS AMENDMENT IS TO AMEND THE PRICE OF EACH PANASONIC TOUGHBOOK IN THE CORRECT AMOUNT OF \$3,675.00, FOR A TOTAL OF \$36,750.00 FOR TEN (10) PANASONIC TOUGHBOOKS)

MAY 14, 2019

WHEREAS, resolution dated April 23, 2019, authorized the Township to purchase ten (10) Panasonic Toughbooks for the Department of Police from vendor with State Contract, in the maximum amount not to exceed \$42,250.00; and

WHEREAS, due to a typographical error, the resolution dated April 23, 2019, stated the incorrect price per Toughbook of \$3,657.00, and the incorrect price for ten (10) Toughbooks of \$3,675.00; and

WHEREAS, the correct price per Toughbook should have stated \$3,675.00, and \$36,750.00 for ten (10) Toughbooks;

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

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.4, (which allows for purchases without competitive bids from the New Jersey State Contract), and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. Contract for the Purchase of Ten (10) Panasonic Toughbooks for the Department of Police, using State Contract No. M0483, Vendor No. 89980, from the following vendor:

CDW-G Inc.
230 North Milwaukee Avenue
Vernon Hills, IL 60061
Toughbooks

5320369	Panasonic Toughbook CF-31 13.1" Core i5-7300U 16 GB RAM 256 GB Windows 10 Pro MFG. PART#: CF-318B-02VM UNSPSC: 43211503	10	\$ 3,675.00	\$36,750.00
4195499	Panasonic Public Sector Service Package Extended Service Agreement – 2 year Mfg. Part#: CF-SVCPSY5 UNSPSC: 81112307	10	\$ 550.00	\$5,500.00
2591462	Verizon Device Scan Mfg. Part#: VZNRWLSACT UNSPSC: 81111511	10	\$ 0.00	\$ 0.00
5320369	Panasonic Toughbook CF-31 13.1" Core i5-7300U 16 GB RAM 256 GB Windows 10 Pro Install	10	\$ 0.00	\$ 0.00
2591462	Verizon Device Scan	10	\$ 0.00	\$ 0.00
				\$42,250.00

3. Funds in the amount of \$42,250.00, are available in Account No. X-04- -243-002.

4. Additional units may be purchased at this pricing upon availability of funds in the appropriate municipal budget.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Police Department
- f) CDW-G, Inc.
230 North Milwaukee Avenue
Vernon Hills, IL 60061

AMENDED CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of Ten (10) Panasonic Toughbooks for the Department of the Police from CDW-G Inc., in the total maximum contract amount not to exceed \$42,250.00, are available in Account No. X-04- -243-002.

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

Dated: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO, AND MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A PROJECT AGREEMENT WITH THE OCEAN BEACH & BAY CLUB LLC, ESTABLISHING THE TERMS AND CONDITIONS UNDER WHICH THE TOWNSHIP WILL APPROVE THE CLUB’S CONSTRUCTION OF A PRE-FABRICATED PLAYGROUND ON ITS PROPERTY LOCATED AT 3305 HERON LANE AND ROUTE 35 SOUTH IN THE TOWNSHIP OF TOMS RIVER

MAY 14, 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. The Township of Toms River (“Township”) is authorized to enter into a Project Agreement with the Ocean Beach & Bay Club LLC (“Club”), to establish the terms and conditions under which the Township of Toms River will approve the Club’s construction of a pre-fabricated playground on its property located at 3305 Heron Lane and 3339 Route 35 South in the Township of Toms River, NJ.

2. This agreement shall take effect upon the execution of both parties and shall remain in effect through October 28, 2021.

3. The Mayor is authorized to execute and the Township Clerk to attest to a Project Agreement with the Club, a copy of which is attached to this resolution as Schedule “A”, and made a part hereof.

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) Township Council
- c) Business Administrator

- d) Chief Financial Officer
- e) Township Attorney
- f) Purchasing Division
- g) Ocean Beach & Bay Club LLC
3305 Heron Lane
Toms River, NJ 08735
- h) Ocean Beach & Bay Club LLC
PO Box 245
Lavallette, NJ 08735-0245

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE
TOWNSHIP CLERK TO ATTEST TO AN AFFORDABLE HOUSING AGREEMENT
BETWEEN THE TOWNSHIP OF TOMS RIVER AND K-LAND CORP. NO. 7, IN
CONNECTION WITH THE CONSTRUCTION OF A HOUSING DEVELOPMENT LOCATED
IN BLOCK 608, LOTS 2.01 AND 2.02 (EAST SIDE OF HOOPER AVENUE AND SOUTH OF
BAY AVENUE) IN THE TOWNSHIP OF TOMS RIVER, NJ**

MAY 14, 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. K-Land Corp. No. 7 ("Kaplan"), obtained Preliminary and Final Major Site Plan Approval, Minor Subdivision Approval and Variance Relief from the Toms River Planning Board by resolution dated August 1, 2018, to construct a housing development consisting of 128 multi-family luxury apartments, located at Block 608, Lots 2.01 and 2.02, located on the east side of Hooper Avenue and south of Bay Avenue in the Township of Toms River.
2. As a condition of the approval, Kaplan is obligated to address the affordable housing obligations that the project may generate by providing for a 20% set aside, which amounts to 26 rental units.
3. The Mayor is authorized to execute and the Township Clerk to attest to an Affordable Housing Agreement between the Township of Toms River and K-Land Corp. No. 7, for the construction of a housing development consisting of 128 multi-family luxury apartments, located at Block 608, Lots 2.01 and 2.02.
4. A copy of the Affordable Housing Agreement is attached to this resolution as Schedule "A", and is made a part hereof.
5. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Thomas Kelaher
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Engineer
- f) Township Planner
- g) Chief Financial Officer
- h) Kaplan Companies
433 River Road
Highland Park, NJ 08904
Attn: Jason Kaplan
- i) Kaplan Companies
433 River Road
Highland Park, NJ 08904
Attn: Bret Kaplan, Esq.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AWARDING CERTAIN CONTRACTS FOR SERVICES
EXEMPT FROM THE BIDDING PROCESS RETROACTIVE TO APRIL 24, 2019 UP TO AND
INCLUDING DECEMBER 31, 2019**

MAY 14, 2019

WHEREAS, the Township Council of the Township of Toms River is desirous of awarding contracts for certain services that are exempt from the bidding process, retroactive to April 24, 2019 up to and including December 31, 2019; and

PART I

WHEREAS, the Township of Toms River has a need to acquire an Administrative Agent for Affordable Housing Units retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on December 4, 2018:

1. Piazza & Associates, Inc., 216 Rockingham Row, Princeton, N.J. 08540;
2. CME Associates, 1460 Route 9 South, Howell, New Jersey 07731; and

WHEREAS, Piazza & Associates, Inc. has over twenty years of experience in the administration of affordable housing; and

WHEREAS, Frank Piazza, Jr., President, has served five years as a Rutgers COAH instructor; and

WHEREAS, Piazza & Associates, Inc. has served as the Administrative Agent for Affordable Housing Units for the Township of Toms River since April 2010, and find their services to be competent and professional:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Piazza & Associates, Inc.

as the Administrative Agent for Affordable Housing Units, not to exceed a total maximum amount of \$15,000.00 for CY19, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget, retroactive to April 24, 2019 up to and including December 31, 2019. Funds for this contract are available in Account No. X-19- -600-027. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that this Resolution is conditioned upon approval by the Council on Affordable Housing.

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

PART II

WHEREAS, the Township of Toms River has a need to acquire certified forester services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on December 6, 2018:

1. CME Associates, 1460 Route 9 South, Howell New Jersey 07731; and

WHEREAS, CME Associates have three certified tree having successfully completed projects in Union City, Carteret, North Brunswick, Upper Freehold, Marlboro, Manalapan, and Jackson Township; and

WHEREAS, CME Associates have professionally performed engineering and consulting services for the Township of Toms River in the past:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. CME Associates, 1460 Route 9 South, Howell New Jersey 07731

as Township Forrester retroactive to April 24, 2019 up to and including December 31, 2019 at the rate of \$85.00 per hour, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART III

WHEREAS, the Township of Toms River has a need to acquire conflict auditing services retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 *et. seq.*; and

WHEREAS, Edward J. Simone, C.P.A., R.M.A. of William E. Antonides and Company, 2807 Hurley Pond Road, Suite 200, P.O. Box 1137, Wall, N. J. 07719-1137 expressed an interest to continue this service for the Township of Toms River; and

WHEREAS, William E. Antonides and Company has been the Conflict Township Auditor for the Township since 2015 and the Council finds their services to be competent and professional; and

WHEREAS, this award does not exceed a total maximum amount of \$4,000.00 and is not subject to the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 *et. seq.*

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Edward J. Simone, C.P.A., R.M.A. of William E. Antonides and Company as Conflict Township Auditor retroactive to April 24, 2019 up to and including December 31, 2019, for a total maximum amount not to exceed \$4,000.00 for CY19, (\$3,200 - 2018 Statutory Audit of the Toms River Municipal Court, and \$800.00 - Preparation of the 2018 Statutory Municipal Court Report) contingent on the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

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

PART IV

WHEREAS, there exists a need for the retention of professional legal services for Conflict Prosecutor retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the amount of the contract to be awarded under this resolution shall be \$350.00 per court session, not to exceed \$5,000.00 for the entire calendar year of 2019; and

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

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on December 5, 2018:

1. Bonnie Peterson, Esq., 1201 S.W. Central Avenue, P.O. Box J, Seaside Park, New Jersey 08752
2. Grace Marmero & Associates, LLP, 44 Euclid Street, Woodbury, N.J. 08096; and

WHEREAS, Bonnie Peterson Esq. has been the conflict prosecutor of the Township of Toms River for several years and provided services in a competent, professional manner

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Bonnie Peterson, Esq.

retroactive to April 24, 2019 up to and including December 31, 2019 as conflict prosecutor at \$350.00 per court session, not to exceed \$5,000.00 for the entire calendar year of 2019, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART V

WHEREAS, this Council finds that there is a need for emergency veterinarian services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on December 4, 2018:

1. Jersey Shore Veterinary Emergency Services, 1000 Route 70, Lakewood, New Jersey 08701
2. Pet Services of New Jersey, d/b/a Toms River Animal Hospital, 769 Route 37 West, Toms River, New Jersey 08755; and

WHEREAS, Jersey Shore Veterinary Emergency Services has provided the Township with competent and professional emergency veterinarian services for several years: and

WHEREAS, Jersey Shore Veterinary Emergency Services provides expanded hours capable of meeting the emergency needs of the Toms River Animal Shelter and Toms River Police Canine Unit:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Jersey Shore Veterinary Emergency Services

retroactive to April 24, 2019 up to and including December 31, 2019, not to exceed a total maximum amount of \$9,000.00 for CY19, in Account No. 9-13- -911-011 - \$8,000.00, and Account No. 9-01- -P45-534 - \$1,000.00 for CY19, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

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

PART VI

WHEREAS, the Township of Toms River has a need to acquire professional services to administer the Township's Employee Assistance Program (EAP) retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposals, which was publicly opened and read on December 19, 2018:

1. Preferred Behavioral Health Group, Inc., 1500 Route 88
Brick, New Jersey 08724; and

WHEREAS, Preferred Behavioral Health Consulting Group, Inc. has previously served as the administrator for the Township's Employee Assistance Program (EAP), and has provided services to employees in a professional and responsible manner; and

WHEREAS, Preferred Behavioral Health Group, Inc. provides services to the following companies and organizations: The County of Ocean (24 years), The Ocean County Library (20 years), Ocean County Superior Court (12 Years), The Township of Brick (6 years) and is fully experienced in this field:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Preferred Behavioral Health Consulting Group, Inc.

to serve as the administrator for the Township's Employee Assistance Program (EAP), retroactive to April 24, 2019 up to and including December 31, 2019 to provide the following services:

Six (6) sessions EAP model – assessment and counseling shall be available to employees and their immediate family members. In the event that referrals to additional external providers are deemed clinically appropriate, the EAP staff shall work with the employee's health benefits insurance carrier to assist in locating appropriate covered providers and agree to accept all of Toms River Township's Horizon health insurance plans (Direct Access, Point of Service or EPO Option) for payment following the initial six (6) visits at no charge to the employee and/or their family. The EAP Consulting Group shall offer day and evening appointments with more than one office location, convenient to the employee and their family members. Locations must be in Ocean County or within a 25-mile radius of Toms River. Pricing is to include all travel and expenses.

EAP Services shall include the following:

- Employee and Supervisory Orientation(s) at start-up,
- Yearly Employee and/or Supervisory training (4),
- DOT/SAP Evaluations of CDL employees testing positive, and consultations to the DER (as required),
- Critical Incident Debriefing (CISD) or Crisis Intervention on an as needed basis,
- On Site Crisis Response
- Supervisory Consultations as needed, particularly to Management staff who refer employees for performance concerns,
- Quarterly Utilization reports,
- Employee promotional materials distributed regularly, via hard copy and electronic file
- Referral support, tracking, follow up and reporting
- 24-hour phone access handling routine appointments within 72 hours,
- Emergent appointments scheduled within 24 hours,
- Face-to-face consultation as opposed to just phone consultation.

The fee to be submitted shall be per employee / per month, for approximately 522 full-time employees and 44 part-time employees.

The Township shall have the right to increase or decrease the number of full time and/or part time employees based upon the actual number of persons covered by this service. The cost of services shall be adjusted based upon the cost per individual as established by the successful bidder.

BE IT FURTHER RESOLVED that this award is for a total maximum amount not to exceed \$20,000.00 for CY19, in Account No. 9-01- -F41-401, subject to the execution of a contract, availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART VII

WHEREAS, the Township of Toms River solicited proposals for Employee Benefits Consultancy and Brokerage Services for Medical, Prescription, Dental, and Vision Coverage retroactive to April 24, 2019 up to and including December 31, 2019 in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, Horizon Blue Cross/Blue Shield pays for these services as the Township; and

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on December 6, 2018:

1. Connor, Strong & Buckelew Companies, LLC, 40 Lake Center Executive Park, 401 Route 73 North, Marlton, New Jersey 08053
2. Brown & Brown Metro FP, PC, 56 Livingston Ave., 2nd Floor, Roseland, New Jersey 07068
3. Aquarius Capital Solutions Group, 110 Betsy Brown Road, Port Chester, New York 10573; and

WHEREAS, Connor, Strong & Buckelew Companies, LLC has represented the Township for several years and find their services to be professional and responsive; and

WHEREAS, Connor, Strong & Buckelew Companies, LLC has extensive experience in this field and represents the County of Ocean, Ocean County Board of Social Services, and Brick Township:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

1. Connor, Strong & Buckelew Companies, LLC

for Employee Benefits Consultancy and Brokerage Services retroactive to April 24, 2019 up to and including December 31, 2019 for Medical, Prescription, Dental, and Vision Coverage, subject to the execution of a contract, availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART VIII

WHEREAS, the Township of Toms River has a need to acquire an environmental consultant expert on CIBA/BASF tax appeals retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on December 19, 2018:

1. Maser Consulting, PA, 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701; and

WHEREAS, Maser Consulting, PA are experienced in the area of hazardous waste sites, including the closing of the Meadowlands Landfill site, and provide environmental Impact studies and ecological restoration/mediation plans; and

WHEREAS, Maser Consulting, PA has been an expert witness involving CIBA/BASF tax appeals and the Council finds their services responsive and professional:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River approves the proposed contract award and authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

1. Maser Consulting PA

as environmental consultant expert on CIBA/BASF tax appeals retroactive to April 24, 2019 up to and including December 31, 2019 at the following rates:

Executive Principal	\$ 275.00/hr.
Principal	\$ 225.00/hr.
Senior Technical Director	\$ 200.00/hr.
Senior Project Manager	\$ 190.00/hr.
Technical Director	\$ 180.00/hr.
Project Manager	\$ 170.00/hr.
Senior Project Specialist	\$ 160.00/hr.
Project Specialist	\$ 150.00/hr.
Technical Professional	\$ 140.00/hr.
Technical Specialist	\$ 130.00/hr.
Specialist	\$ 120.00/hr.
Senior Data Technician	\$ 110.00/hr.
Senior Technical Assistant	\$ 100.00/hr.
Technical Assistant	\$ 90.00/hr.
Data/Field Technician	\$ 75.00/hr.
Survey Crew – 2 Man	\$ 200.00/hr.
Survey Crew – 1 Man w/ robotic equipment	\$ 175.00/hr.
Expert Witness	\$ 325.00/hr.
Sr. LSRP	\$ 275.00/hr.
LSRP	\$ 215.00/hr.

REIMBURSABLE EXPENSES

General Expenses	Cost + 15%
Travel (Hotel, Airfare, Meals)	Cost + 15%
Sub-Consultants/Sub-Contractors	Cost + 20%
Mileage Reimbursement*	\$ 0.56/per mile
Plotting	\$ 3.75/each
Computer Mylars/Color Plots	\$ 50.00/each
Photo Copies	\$.10/each
Color Photo Copies	\$ 1.75/each
Document Binding	\$ 3.00/each
Portable Media	\$ 75.00/each
Exhibition Lamination (24" x 36" or larger)	\$ 50.00/each
Initial Digital Signature	\$250.00/each
Additional Digital Signature	\$ 50.00/each

* Mileage reimbursement subject to change based on IRS standard mileage rate.

BE IT FURTHER RESOLVED that this award is not to exceed a total maximum amount of \$150,000.00 for CY19 from Account No. 9-01- -L21-534, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART IX

WHEREAS, the Township of Toms River has a need to acquire general legal and litigation services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on December 5, 2018:

1. Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Connors PC, 620 West Lacey Road, Forked River, New Jersey 08731
2. Hering, Gannon & McKenna, 29 Hadley Avenue, Suite 2, Toms River, New Jersey 08753
3. Kevin B. Riordan, Esq., L.L.C., 20 Hadley Avenue, Toms River, New Jersey 08753
4. Gertner & Gertner, L.L.C., P.O. Box 1149, Jackson, New Jersey 08527
5. Citta, Holzaphel & Zabarsky, 248 Washington Street, Toms River, New Jersey 08753
6. Biancamano & DiStefano, PC, 10 Parsonage Road, Suite 300, Edison, New Jersey 08837
7. Hering, Dupignac, Stanzione, Dunn & Beck, PC, 64 Washington Street, Toms River, New Jersey 08753; and

WHEREAS, the firm of Kevin B. Riordan, L.L.C., has represented various municipalities in defense litigation, was appointed as Borough Attorney for Point Pleasant Beach and Labor Attorney for Stafford Township; and

WHEREAS, the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, P.C. has represented numerous municipalities, as a municipal solicitor, labor counsel and land use board counsel; and

WHEREAS, the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors, P.C., is approved for the Ocean/Monmouth Joint Insurance Fund and the Municipal Excess Liability Fund; and

WHEREAS, the firm of Hering, Gannon, & McKenna has represented over twelve municipalities and over eleven local boards and authorities in Ocean County:

BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to contracts with the firms of :

1. Kevin B. Riordan, Esq., L.L.C.,
2. Hering, Gannon, & McKenna,
3. Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Connors PC

for general legal and litigations services retroactive to April 24, 2019 up to and including December 31, 2019, at the rate of \$135.00 per hour, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART X

WHEREAS, the Township of Toms River has a need to acquire land acquisition and dune easement counsel services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on December 5, 2018:

1. Paul R. Rizzo, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Blvd., Warren, New Jersey 07059
2. Kevin B. Riordan, Esq., LLC, 20 Hadley Avenue, Toms River, New Jersey 08753

WHEREAS, Paul R. Rizzo, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has provided legal services to Toms River for many years as a land acquisition counsel in a professional and competent manner; and

WHEREAS, Paul R. Rizzo, Esq. of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has conducted condemnation proceedings for municipalities in Edison, South Plainfield,

Sayerville, and has acted as a condemnation commissioner in Somerset County, indicating the necessary experience in this field:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Paul R. Rizzo, Esq. of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.,

for land acquisition and dune easement counsel services retroactive to April 24, 2019 up to and including December 31, 2019, at the rate of \$195.00 per hour for attorneys, and \$75.00 per hour for paralegals, not to exceed a total maximum amount of \$100,000.00 for CY19, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XI

WHEREAS, the Township of Toms River has a need to acquire landfill environmental consultant services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on December 4, 2018:

1. PEI Prestige Environmental, Inc., 220 Davidson Avenue, Suite 307, Somerset, New Jersey 08873
2. TRC Environmental Corp., 41 Spring Street New Providence, New Jersey 07974
3. Brinkerhoff Environmental Services, 37 Belvedere Avenue, Washington, New Jersey 07882
4. CME Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08852
5. Cornerstone Environmental Group, Pearl Street, Suite 201, Metuchen, New Jersey 08840; and

WHEREAS, the firm of TRC Environmental Corp. has consulted on over 2,000 environmental site assessments and over 1,500 site investigations; and

WHEREAS, TRC Environmental Corp. is currently involved in 9 LSRP matters; and

WHEREAS, TRC Environmental Corp. has been the environmental consultant for the Township of Toms River, and the Council has found these services to be responsive and professional:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

1. TRC Environmental Corp.

for landfill environmental counseling services retroactive to April 24, 2019 up to and including December 31, 2019, not to exceed a total maximum amount of \$98,000.00 for CY19, at the rate of

Technical Assistant	\$60.00/hour
Field Technician	\$70.00/hour
Computer Design and Drafting	\$90.00/hour
Sr. Computer Design and Drafting	\$105.00/hour
Hydrogeologist I/Scientist I/Engineer I	\$75.00/hour
Hydrogeologist II/Scientist II/Engineer II	\$90.00/hour
Hydrogeologist III/Scientist III/Engineer III	\$105.00/hour
Associate Project Manager	\$125.00/hour
Project Manager	\$140.00/hour
Sr. Project Manager	\$160.00/hour

Sr. Scientist/Engineer	\$170.00/hour
Project Director	\$180.00/hour
Sr. Project Director	\$185.00/hour
Principal Consultant	\$200.00/hour
Sr. Principal Consultant	\$225.00/hour
Sr. Principal Consultant II	\$260.00/hour
Equipment: TRC costs + 10%	
Office expenses: TRC labor force + 4%	

BE IT FURTHER RESOLVED that this award is contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XII

WHEREAS, the Township of Toms River has a need to acquire municipal auditor services as required pursuant to *N.J.S.A. 40A:5-4, et. seq.* retroactive to April 24, 2019 up to and including December 31 2019; and

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

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on December 6, 2018:

1. Holman, Frenia, Allison, P.C., 680 Hooper Avenue, Bldg. B, Suite 201, Toms River, New Jersey 08753 ; and

WHEREAS, a review of the submitted proposals by the Council reveals that the firm of Holman, Frenia, Allison, P.C., has conducted auditing services for over 40 municipalities in the State of New Jersey; and

WHEREAS, the firm of Holman, Frenia, Allison, P.C., has been retained by the Township of Toms River and the Council finds that their past services has been responsive and professional:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to execute and Township Clerk to attest to a contract with the firm of:

1. Holman, Frenia, Allison, P.C.

for municipal auditor services at the hourly rates for Partners: \$145.00; Manager: \$115.00; Supervisor \$90.00; Senior Staff: \$75.00 and Staff: \$65.00 in account no. 9-01- - F12-206, retroactive to April 24, 2019 up to and including December 31, 2019, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XIII

WHEREAS, the Township of Toms River has a need to acquire certain municipal bond legal services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on December 5, 2018:

1. Gluck, Walrath, L.L.P., 428 River View Plaza, Trenton, New Jersey 08611

2. Wilentz, Goldman & Spitzer, P.A. , 90 Woodbridge Center Drive, Woodbridge, New Jersey 007095; and

WHEREAS, a review of the submitted proposals to the Council reveal that the firm of Gluck, Walrath, L.L.P. has been providing the Township of Toms River with legal bond services for several years; and

WHEREAS, Gluck, Walrath, L.L.P. is familiar with the current bonding needs of Toms River Township; and

WHEREAS, Gluck, Walrath, L.L.P. has been appointed as bond counsel by 63 public entities in the State of New Jersey, and has extensive experience in the field of municipal bonding law:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of :

1. Gluck, Walrath, L.L.P.

for municipal bond legal services retroactive to April 24, 2019 up to and including December 31, 2019, at \$250.00 per hour for tax attorney services, \$225.00 per hour for bond attorney services, and between \$80.00 per hour to \$150.00 per hour for legal assistants, and at rates for the following services:

- a. For services rendered or in connection with each bond sale, a fee of \$3,500.00 plus \$1.00 per thousand dollars of bonds issued.
- b. For services rendered in connection with the preparation or review of each ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of \$400.00 for each single purpose ordinance and \$600.00 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, there will be additional fees to be charged at the hourly rates of the attorneys and paralegals providing such services, as described above. The fees for services in connection with the ordinances will be charged periodically during the course of the year.
- c. The fee for any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at closing, shall be billed at the hourly rates for attorneys and paralegals as described above, with a minimum fee of \$750.00.
- d. Written post issuance tax compliance procedures will be provided by Bond Counsel at the request of the CFO at a fixed cost of not more than \$5,000.00 for a template; with any modifications thereto billed at Bond Counsel's normal hourly rates for attorneys and paralegals as described above.
- e. Services rendered beyond the scope of those described herein will be billed at the hourly rates for attorneys and paralegals as described above depending on the attorney or paralegal involved. Such services may include attendance at meetings, all work required in connection with any financing through a borrowing through the New Jersey Environmental Infrastructure Trust Program, extraordinary work involved in the preparation of the Official Statement, attention to any litigation that may occur, complicated arbitrage analysis, implementation of procedures required by IRS Circular 230 or applications to the Federal Reserve Bank for investments of bond or note proceeds in State and Local Government Series federal obligations. If the Bond sale involves the sale of minibonds, the sale of obligations to the United States Department of Agriculture, Farmers Home Administration, or an application to the Local Finance Board, such services will be billed for attorneys and paralegals at the hourly rates described above with a minimum fee of \$750.00. In the event that bond insurance, a letter of credit or similar credit enhancement facility is used in connection with a bond issue, an additional fee based on the responsibility assumed and time involved will be charged.
- f. In the event of a refunding bond issue providing for an escrow agreement and an investment of the proceeds consistent with the restrictions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be a fee of \$10,000.00 in addition to the fees described herein.
- g. In the event that a bond sale is held but all bids are rejected or the sale is canceled, the fee to be charged shall be a reasonable one, based on the services performed.
- h. Customary disbursements for postage, telephone, photocopying, travel and out-of-pocket expenses shall be added to the fees referred to in this Agreement.

BE IT FURTHER RESOLVED that this award is contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XIV

WHEREAS, there exists a need for the retention of professional legal services for Municipal Prosecutor and Assistants retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted a conforming proposal which were publicly opened and read December 5, 2018:

1. Citta, Holzapfel & Zabarsky, P.C., 248 Washington Street, Toms River, New Jersey 08753
2. Grace Marmero & Associates, 44 Euclid Street, Woodbury, New Jersey 08096; and

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

WHEREAS, Steven A. Zabarsky, Esq., as Municipal Prosecutor, and Brian K. Wilke, Esq., Robert Greitz, Esq., Ronald Deligny, Esq., and Paul Granick, Esq., as Alternate Municipal Prosecutors of the firm of Citta, Holzapfel & Zabarsky, P.C., have proven their capabilities and responsiveness to the citizens of Toms River Township:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Mayor to enter into, and the Township Clerk to attest to a contract with:

1. Steven A. Zabarsky, Esq. as Municipal Prosecutor, and Brian K. Wilkie, Esq., Robert Greitz, Esq., Ronald Deligny, Esq., and Paul Granick, Esq. as Alternate Municipal Prosecutors of the firm of Citta, Holzapfel & Zabarsky, P.C.,

retroactive to April 24, 2019 up to and including December 31, 2019, for a maximum amount not to exceed \$75,000.00, and not to exceed \$6,250.00 on a monthly basis for regular court sessions, plus \$2,600.00 for 4 special sessions at \$650.00 for each, plus \$10,200.00 for 12 special driving while intoxicated sessions at \$850.00 for each session for a total maximum amount not to exceed \$87,800.00 for CY19, contingent upon the execution of a contract, availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XV

WHEREAS, there exists a need for Municipal Public Defender services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on December 5, 2018:

1. Terry F. Brady, Esq., of the firm of Brady & Kunz, P.C., 680 Hooper Avenue, Building C, 2nd Floor, P.O. Box 4990, Toms River, New Jersey 08754
2. Brian DiStefano, Esq., 1 Pelican Drive, 2nd Floor, Suite 6, Bayville, New Jersey 08721; and

WHEREAS, Terry F. Brady, Esq. of the firm of Brady & Kunz, P.C., has represented the Township of Toms River since 1987 as Municipal Public Defender and is fully experienced to perform the duties required; and

WHEREAS, Terry Brady, Esq. of the firm of Brady & Kunz, P.C. has acted as a Public Defender for Point Pleasant Beach, Stafford Township and Beachwood Township and is experienced in this endeavor:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Terry F. Brady, Esq. of the firm of Brady & Kunz, P.C.

as the Township Public Defender retroactive to April 24, 2019 up to and including December 31, 2019, for a total maximum amount not to exceed a total maximum of \$47,000.00 for CY19, and not to exceed a total maximum amount of \$3,916.66 on a monthly basis, plus \$400.00 for each special trial session in Toms River Municipal Court and \$250.00 for each bail review session in Ocean County Superior Court, contingent upon the execution of a contract, availability of funds and the adoption of the CY19 budget. The certification of fund available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XVI

WHEREAS, the Township of Toms River has a need to acquire a police emergency medical service and volunteer emergency medical service director retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on December 4, 2018:

1. Dr. Laurence De Rochers, t/a Emergemed, L.L.C., 640 Harbor Road, Brick, New Jersey 08724; and

WHEREAS, Dr. Laurence De Rochers, t/a Emergemed, L.L.C. is currently the police emergency medical service director of the Township of Toms River, and has performed its duties in a professional and competent manner; and

WHEREAS, Dr. Laurence De Rochers, t/a Emergemed, L.L.C. is also the medical director of the Lanoka Harbor and Community Medical Center and has experience in this field:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Dr. Laurence De Rochers, t/a Emergemed, L.L.C.

as police emergency medical service and volunteer emergency medical service director retroactive to April 24, 2019 up to and including December 31, 2019, at the rate not to exceed a total maximum amount of \$18,500.00 for CY19, at \$1,541.66 per month, which includes 10 hours per month spent for the aforementioned activities, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XVII

WHEREAS, the Township of Toms River has a need to acquire certain professional pool architectural services for Township capital projects and other general Township services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, successful candidates will be placed on an approved list to receive bids and/or requests for proposals as required by law for said future services; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on December 4, 2018:

1. Wayne A. Neville, A.I.A. 430 Commerce Lane, Suite C, West Berlin, New Jersey 08901
2. Netta Architects, 1084 Route 22, Mountainside, New Jersey 079092
3. The Musial Group, 191 Mill Lane, Mountainside, New Jersey 07092
4. Spiezle Architectural Group, Inc., 120 Sanhican Drive, Trenton, New Jersey 08753
5. Yezzi Associates, L.L.C., 18 Washington Street, Toms River, New Jersey 08753
6. Alaimo Group, Inc., 200 High Street, Mount Holly, New Jersey 08060; and

WHEREAS, The Musial Group, specializes in architectural services for municipal buildings since 1976 and has provided these services to public entities throughout the State of New Jersey; and

WHEREAS, The Musial Group has been a member of the architectural pool of the Township of Toms River and provided competent and professional services; and

WHEREAS, Yezzi & Associates, L.L.C. has 36 years in planning and Architectural design; and

WHEREAS, Yezzi & Associates, L.L.C. is the Architect of record for Ocean County which includes OC Vocational Technical Schools, OC Department of Health, OC Utilities Authority and the OC Library system:

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

1. The following firms shall be placed on a pre-approved list retroactive to April 24, 2019 up to and including December 31, 2019 to receive bids, requests or solicitations as required by law for future architectural capital improvement projects and general architectural services on behalf of the Township of Toms River:

1. The Musial Group, 191 Mill Lane, Mountainside, New Jersey 07902
2. Yezzi Associates, L.L.C., 18 Washington Street, Toms River, New Jersey 08753

2. The Toms River Township Engineer may seek authorization from this Council for specific capital projects or miscellaneous architectural services on behalf of the Township to be awarded to the Musial Group.

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

PART XVIII

WHEREAS, there exists a need for the retention of professional pool legal services for Conflict Municipal Public Defender Services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on December 5, 2018:

1. Rumph Law, PC., 11 Leifried Lane, Tuckerton, New Jersey 08087
2. Brian J. Di Stefano, L.L.C., 1 Pelican Drive, 2nd Floor, Suite 6, Bayville, N.J. 08721
3. Mark A. Schneider, Esq., 55 Manchester Ave., P.O. Box 258, Forked River, N.J. 08731; and

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

WHEREAS, Brian Di Stephano has seven years of experience as a public defender in Ocean County which includes being a conflict public defender for the Township of Toms River; and

WHEREAS, Brian E. Rumpf, Esq., has served as a public defender in Stafford and Little Egg Harbor Townships, plus Beachwood, Tuckerton, Surf City, Eagleswood, and Island Heights Boroughs demonstrating wide experience in this field:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Mark A. Schneider, Esq
2. Brian J. Di Stefano, L.L.C.
3. Rumph Law, P.C

as Pool Conflict Municipal Public Defenders retroactive to April 24, 2019 up to and including December 31, 2019, at \$350.00 per court session, and each firm not to exceed \$5,000.00 with a total maximum amount not to exceed \$15,000.00 for CY19, as a combined total for the entire conflict public defender pool, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The Municipal Court Administrator has the discretion to appoint a firm in the pool for each case.

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

PART XIX

WHEREAS, the Township of Toms River has a need to acquire professional inspection and general engineering services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, proposals were sought by way of public notice seeking such services, with successful candidates to be placed on an approved list for the calendar year 2018 to render services described above at the following rates:

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

WHEREAS, the following firms submitted conforming qualifications which were publicly opened and read on December 4, 2018:

1. Remington, Vernick & Vena Engineers, 9 Allen Street, Toms River, N. J. 08753
2. Owen, Little & Associates, 443 Atlantic City Blvd., Beachwood, N.J. 08722

3. T & M Associates, 11 Tindall Road, Middletown, New Jersey 07748
4. French & Parrello Associates, P.A., 1800 Route 34, Suite 101, Wall, New Jersey 07719
5. Mott MacDonald, L.L.C., 3 Paragon Way, Freehold, N.J. 07728
6. Maser Consulting, PA 331 Newman Springs Road, Suite 203, Red Bank, New Jersey 07701
7. Center State Engineering, 481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831
8. O'Donnell, Stanton & Associates, Inc., Member of the Van Cleef Engineering Group, 1705 Route 37 East, Toms River, New Jersey 08753
9. Suburban Consulting Engineers, Inc., 96 U.S. 206, Suite 101, Flanders, New Jersey 07836
10. CME Associates, 1460 Route 9 South, Howell, New Jersey 07731; and
11. Alaimo Group, 200 High Street, Mount Holly, New Jersey 08060
12. Narjinian Associates, 1 Industrial Way West, Eatontown, New Jersey 07724
13. ARH (Adams, Rehmann & Heggen Associates, Inc.), 215 Bellevue Ave., P.O. Box 579, Hammonton, New Jersey 08037;

WHEREAS, the firm of Owen, Little & Associates is currently the Toms River Township Board of Adjustment Engineer and is familiar with approved and pending projects; and

WHEREAS, the Toms River Township Council finds the firm of Remington, Vernick & Vena Engineers has previously provided satisfactory work for Toms River Township; and

WHEREAS, T & M Associates has previously provided satisfactory work for Toms River Township; and

WHEREAS, T & M Associates is the Manchester Township Engineer and would be able to interface with Toms River involving joint jurisdiction issues; and

WHEREAS, French & Parrello Associates is experienced with public sector capital projects, such as the expansion of the Ocean County Library and has provided competent and professional services to the Township; and

WHEREAS, Mott, MacDonald, L.L.C. is experienced in road and bridge construction in Toms River and the Ocean County area and has provided competent and professional services to the Township; and

WHEREAS, Mott, MacDonald, L.L.C. has represented over 40 government entities including inspection and general engineering; and

WHEREAS, Maser Consulting, PA are experienced in the area of hazardous waste sites, including the closing of the Meadowlands Landfill site, and provide environmental Impact studies and ecological restoration/mediation plans; and

WHEREAS, Maser Consulting, PA has been an expert witness involving CIBA/BASF tax appeals and the Council finds their services responsive and professional; and

WHEREAS, O'Donnell, Stanton & Associates, Inc. has extensive experience as municipal engineers throughout the County of Ocean and has be retained by the Township of Toms for various projects since 1990; and

WHEREAS, CME Associates has extensive experience as a municipal engineers throughout the County of Ocean and has be retained by the Township of Toms River for various projects; and

WHEREAS, ARH (Adams, Rehmann & Heggen Associates, Inc.), has been representing municipalities for decades and currently works with over 20 municipalities; and

WHEREAS, the Alaimo Group presently represents forty-five municipalities and utility authorities and has experience in Toms River by constructing several projects;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to contracts retroactive to April 24, 2019 up to and including December 31, 2019, with the firms of:

1. Owen, Little & Associates
2. Remington, Vernick & Vena Engineers
3. T & M Associates
4. French & Parrello Associates
5. Mott, MacDonald, L.L.C.
6. Maser Consulting, PA
7. O'Donnell, Stanton & Associates, Inc. member of the Van Cleef Engineering Associates
8. CME Associates
9. ARH (Adams, Rehmann & Heggen Associates, Inc.)
10. Alaimo Group

for inspection and general engineering services at the rate of:

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

BE IT FURTHER RESOLVED this award contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XX

WHEREAS, the Township of Toms River has a need to acquire non-emergency pool veterinary services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on December 6, 2018:

1. Cummings Veterinary Services dba East Coast New Jersey Spay Clinic, 918 Hazlewood Road, Toms River, New Jersey 08753
2. Vetcor of Toms River, L.L.C., t/a Calling All Creatures Veterinary Hospital, 246 Washington Street, Toms River, New Jersey 08753; and

WHEREAS, Vetcor of Toms River, L.L.C., t/a Calling All Creatures Veterinary Hospital, has been retained by the Township for veterinary services in previous years and the Council finds that their services have been competent and professional; and

WHEREAS, Cummings Veterinary Services d/b/a East Coast New Jersey Spay Clinic has 18 years experience performing 4,000 procedures per year as a spaying and neutering clinic and has provided this service in a professional manner with the Township in the past:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Cummings Veterinary Services dba East Coast New Jersey Spay Clinic, for a total maximum amount not to exceed \$40,000.00 for CY19, in Account No. 9-13- -911-011
2. Vetcor of Toms River, L.L.C., t/a Calling All Creatures Veterinary Hospital for total maximum amount not to exceed \$23,000.00 for CY19; 15,000.00 in Account 9-13- -911-011 and \$8,000.00 in aAccount 9-13- -911-002

retroactive to April 24, 2019 up to and including December 31, 2019, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXI

WHEREAS, the Township of Toms River has a need to acquire certain real estate title abstract services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms have submitted a conforming proposal which was publicly opened and read on December 6, 2018:

1. Mid-State Abstract Co. for First America Title Ins. Co., 207 Hooper Avenue, P.O. Box 413, Toms River, N.J. 08754
2. Nationwide Court Services, Inc. 761 Koehler Avenue, Ronkonkoma, New York 11779; and

WHEREAS, a review of the submitted proposal to the Council reveals that the firm of Mid-State Abstract Co. has represented Toms River Township for the services described for several years and has served the interests of the Township in a competent and professional manner:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Mid-State Abstract Co., for First America Title Ins. Co.

a contract for real estate title abstract services retroactive to April 24, 2019 up to and including December 31, 2019, at the rates set forth regulated by the New Jersey Department of Insurance for title insurance, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXII

WHEREAS, the Township of Toms River has a need to acquire certain real estate appraisal services for property tax appeals retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on December 6, 2018:

1. Henry J. Mancini and Associates
691 Mill Creek Road, Unit 11
Manahawkin New Jersey 08092
2. Stenmark Appraisals, L.L.C., 930 E. County Line Road, Suite 4, Lakewood,
New Jersey 08701; and

WHEREAS, Henry J. Mancini and Associates has provided appraisal services for public entities throughout Ocean County, including the Township of Toms River in a competent and professional manner:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Henry J. Mancini and Associates

for appraisal services involving property tax appeals retroactive to April 24, 2019 up to and including December 31, 2019, at the rates set forth:

MAI Designated Appraiser:	\$160.00/hour
State Certified General Appraiser Staff:	\$115.00/hour
Field Personnel/Research Assistants:	\$100.00/hour
Clerical:	\$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research:	\$ 315.00
Report and Exhibit Copies:	
Copy fees - \$0.35/sheet/Color - \$0.95/sheet	
Binders, photos, exhibits and maps @ \$120% of cost.	

BE IT FURTHER RESOLVED all costs, fees, and compensation are contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget and/or the appropriate capital ordinances. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXIII

WHEREAS, the Township of Toms River has a need to acquire real estate appraisal services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on December 6, 2018:

1. Henry J. Mancini and Associates, 691 Mill Creek Road, Unit 11, Manahawkin, New Jersey 08092
2. Stenmark Appraisals, L.L.C., 930 E. County Line Road, Suite 4, Lakewood, New Jersey 08701
3. Phoenix Advisors, 625 Farnsworth Avenue, Bordentown, NJ 08505
4. Federal Appraisal, LLC, 460 US Highway 22W, Whitehouse Station, New Jersey; and

WHEREAS, Henry J. Mancini and Associates has provided appraisal services for public entities throughout Ocean County, including the Township of Toms River in a competent and professional manner; and

WHEREAS, Henry J. Mancini and Associate provided an exception reducing the overall aggregate rates and final fee for this service:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Henry J. Mancini and Associates

for appraisal services retroactive to April 24, 2019 up to and including December 31, 2019 at the rates set forth:

MAI Designated Appraiser:	\$160.00/hour
State Certified General Appraiser Staff:	\$115.00/hour
Field Personnel/Research Assistants:	\$ 100.00/hour
Clerical:	\$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research:	\$ 315.00
Report and Exhibit Copies:	
Copy fees - \$0.35/sheet/Color - \$0.95/sheet	
Binders, photos, exhibits and maps @ \$120% of cost.	

BE IT FURTHER RESOLVED, all costs, fees, and compensation are contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget, and/or the appropriate capital ordinances. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXIV

WHEREAS, the Township of Toms River has a need to acquire rent leveling board accounting services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on December 6, 2018:

1. Carmen Memoli, C.P.A. of the firm Memoli & Company, PC, 222 Oak Avenue, Suite 5, Toms River, New Jersey 08753; and

WHEREAS, Carmen J. Memoli, CPA of the firm Memoli & Company, LLC, has represented Toms River Township as the rent leveling board accountant for several years in a competent and professional manner, and is familiar with the process required to serve the interests of Toms River Township:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Carmen J. Memoli, CPA of the firm of Memoli & Company, PC.

for rent leveling board accounting services retroactive to April 24, 2019 up to and including December 31, 2019, at the rate of \$100.00 per hour, for a total maximum amount not to exceed \$6,000.00 for CY19, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXV

WHEREAS, the Township of Toms River has a need to retain certain 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, et als., BUR-L-00895-02 retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 *et. seq.*; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on December 5, 2018:

1. Gregory Coffey, Esq. of the firm of Coffey & Associates, 310 South Street, Morristown, New Jersey 07960; and

WHEREAS, the law firm of Coffey and Associates was retained by this Council on August 10, 2010 in the matter of *NJDEP v. Almo Anti-Pollution Services, et. als. v. Toms River Township, et. als.*, BUR-L-00895; and

WHEREAS, this Council finds that the law firm of Coffey and Associates has provided services to the Township in a professional and competent manner in the court matter described above;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River authorizes the Mayor to execute and the Township Clerk to attest to a contract with:

1. Gregory Coffey, Esq. of the firm of Coffey & Associates

regarding litigation filed against the Township of Toms River known as *NJDEP v. Almo Anti-Pollution Services, et als. v. Toms River Township, et als.*, BUR-L-00895-02, at the rate of \$200.00 per hour for partners, and \$140.00 per hour for associates, retroactive to April 24, 2019 up to and including December 31, 2019, not to exceed a total maximum amount of \$15,000.00 for CY19, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXVI

WHEREAS, the Township of Toms River has a need to acquire special legal counsel in the matter of CIBA/BASF tax appeals retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on December 5, 2018:

1. Chiesa, Shahinian and Giantomasi, P.C., 1 Boland Drive, West Orange, New Jersey 07052; and

WHEREAS, Chiesa, Shahinian and Giantomasi, P.C. represented or represents the municipalities of Hamilton Township, the Township of South Orange, the Borough of Paramus, Livingston Township, the Township of Morristown, City of East Orange, and the Borough of Bergenfield for tax appeals; and

WHEREAS, Chiesa, Shahinian and Giantomasi, P.C. has represented the Township of Toms River in tax appeal matters, and the Council finds their work to be responsive and professional; and

WHEREAS, Chiesa, Shahinian and Giantomasi, P.C. has represented the Township in companion cases with Ciba-Geigy litigation and are familiar with the site and collateral issues in this matter:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a professional legal services contract with the firm of:

1. Chiesa, Shahinian and Giantomasi, P.C.

for CIBA/BASF tax appeals at the rate of \$220.00 per hour for attorneys and \$95.00 per hour for paralegals, retroactive to April 24, 2019 up to and including December 31, 2019, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXVII

WHEREAS, the Township of Toms River has a need to retain certain professional legal services regarding the *Township of Dover v. Ciba Specialty Chemicals Corp., et. als.*, Docket Number L-2884-03 and *Ciba Specialty Chemicals Corp. v. the Township of Dover*, Docket Number L-OCN-1686-06-PW matters retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 *et. seq.*; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on December 5, 2018:

1. Chiesa, Shahinian and Giantomasi, P.C., 1 Boland Drive, West Orange, New Jersey 07052; and

WHEREAS, a review of the submitted proposals reveals the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented the municipalities of Sayreville, East Brunswick and Verona in environmental legal issues; and

WHEREAS, members of the firm Chiesa, Shahinian and Giantomasi, P.C. include a former New Jersey Attorney General, and a member of the New Jersey Brownfields and Contaminated Site Remediation Task Force; and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, has represented clients in connection with waste site cleanups and the reallocation of clean-up costs at sites in New Jersey, New York, Pennsylvania, Ohio, Michigan, and other states; and

WHEREAS, the firm employs over 100 attorneys and staff providing a full range of legal services in connection with environmental law; and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented the Township of Toms River in the Ciba-Geigy litigation for many years, and is familiar with the facts and legal issues necessary to represent the interests of the Township in a competent and efficient manner:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a professional legal services contract with the firm of:

1. Chiesa, Shahinian and Giantomasi, P.C.

for representation in the law suits, *Township of Dover v. Ciba Specialty Chemicals Corp., et. als.*, Docket Number L-2884-03 and *Ciba Specialty Chemicals Corp. v. the Township of Dover*, Docket Number L-OCN-1686-06-PW at the rate of \$220.00 per hour for attorneys and \$95.00 per hour for paralegals, retroactive to April 24, 2019 up to and including December 31, 2019, in an amount not to exceed a total of \$23,000.00 for CY19, \$11,500.00 to be budgeted in Account No. 9-01- -L21-550 and \$11,500.00 to be budgeted in Account

No. 9-01- -L21-553, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXVIII

WHEREAS, the Township of Toms River has a need to acquire professional special counsel services to advise, consult, and represent the Township of Toms River in land use matters involving the Religious

Land Use and Institutionalized Persons Protection Act (“RLUIPA”), 42 U.S.C. 2000cc et seq., and religion clauses of the United States Constitution retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, a proposal dated August 28, 2018 was provided to this Council and after review, the Council awarded a contract to:

Professor Marci A. Hamilton, Esq.
36 Timber Knoll Drive
Washington Crossing, PA 18977; and

WHEREAS, the Council finds that Professor Marci A. Hamilton, Esq. has provided competent and professional services for the Township commensurate with the hourly rate agreed upon by the parties in 2018; and

WHEREAS, Professor is a recognized leader in religious liberty and law in the country: and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township of Toms River to retain Professor Hamilton in these matters; and

WHEREAS, this award is provided through a non-fair and open basis and subject to campaign contribution reform laws as set forth in *N.J.S.A. 19:44A-20.4 et. seq.* and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*; and

WHEREAS, Professor Marci A. Hamilton, Esq., 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.*, and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*, and Professor Marci A. Hamilton, Esq., acknowledges that the contract will prohibit her from making any such contributions through the term of the contract; and

WHEREAS, recommendation has been made to award a contract to Professor Marci A. Hamilton, Esq., for a total contract amount not to exceed \$75,000.00, at the rate of \$750.00 per hour:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a professional legal services contract with the firm to:

1. Professor Marci A. Hamilton, Esq., to serve as special legal counsel to advise, consult and represent the Township of Toms River in land use matters involving the Religious Land Use and Institutionalized Persons Protection Act (“RLUIPA”), 42 U.S.C. 2000cc et seq., and religion clauses of the United States, retroactive to April 24, 2019 up to and including December 31, 2019 for a total contract amount not to exceed \$75,000.00 for CY19, at the rate of \$750.00 per hour to be budgeted in Account 9-01- -L21- -534, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The Township of Toms River agrees to pay reasonable travel expenses, if needed.

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

PART XXIX

WHEREAS, the Township of Toms River has a need to acquire certain special labor counseling services retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on December 5, 2018:

1. Amando V. Ricco, L.L.C., 20 Hadley Avenue, Toms River, New Jersey 08753
2. Citta, Holzapfel & Zabarsky, 248 Washington Street, Toms River, New Jersey 08753
3. Grace, Marmero & Associates, 44 Euclid Street, Woodbury, New Jersey 08096

4. Roth D'Aquanni, LLC, 150 Morris Avenue, Suite 303, 3rd Floor, Springfield, New Jersey 07081; and

WHEREAS, the firm of Citta, Holzapfel & Zabarsky, presently serves as labor/labor consultant to the County of Ocean and twenty two other public entities in the area and has been labor counsel for the Township of Toms River and find that the firm has served competently and professionally; and

WHEREAS, A. Michael Barker, Esq. of Barker, Gelfand, James & Sarvas, P.C. 210 New Road Unit 2 Linwood, N. J. 08221 has represented the Township of Toms as a special labor council and found his services to be professional and competent: and

WHEREAS, A. Michael Barker, Esq. is a certified trial attorney having extensive experience in labor law and has represented clients in eighteen judicially reported cases; and

WHEREAS, it would be in the best interest of the Township of Toms River to retain the services of A. Michael Barker, Esq. under a non-fair and open basis and subject to campaign contribution reform laws as set forth in *N.J.S.A. 19:44A-20.4 et. seq.* and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*; and

WHEREAS, Barker, Gelfand, James & Sarvas, P.C. 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.*, and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*, and acknowledges that the contract will prohibit it from making any such contributions through the term of the contract:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firms:

1. Citta, Holzapfel & Zabarsky
2. A. Michael Barker, Esq. of Barker, Gelfand, James & Sarvas, P.C.

to represent Toms River Township for professional labor counseling services retroactive to April 24, 2019 up to and including December 31, 2019, at the rate of \$175.00 per hour, for a total amount not to exceed \$20,000.00, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

PART XXX

WHEREAS, the Township of Toms River has a need to acquire a Township Cardiologist retroactive to April 24, 2019 up to and including December 31, 2019; and

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

WHEREAS, the following firm submitted a proposal which was publicly opened and read on December 4, 2018:

1. Dr. Samir Jain, MD d/b/a N.J. Heart and Vascular Specialists, 599 Route 37 West, Suite #5, Toms River, New Jersey 08755; and

WHEREAS, it was determined that the proposal was nonconforming; and

WHEREAS, the not to exceed amount for this award does not exceed \$15,000.00 and is not subject to a Fair and Open process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

WHEREAS, Dr. Samir Jain, MD has expressed an interest to act as the Township Cardiologists according to the terms and conditions of request for proposal offered by the Township of Toms River; and

WHEREAS, Dr. Samir Jain, MD d/b/a N.J. Heart and Vascular Specialists has served as the Township Cardiologist and their services have been professional and responsive:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Dr. Samir Jain, d/b/a N.J. Heart and Vascular Specialists

as the Township Cardiologist, with cardiac testing to be conducted within one week; regular stress test: no more than \$85.00, Nuclear stress test: No more than \$550.00 plus cost of isotope and Lexiscan; ECHO ultrasound: No more than \$260.00, Cardiac office evaluation for new patient: no more than \$225.00; Cardiac office follow up: no more than \$120.00. Further rates to be provided on a case by case basis. retroactive to April 24, 2019, up to and including December 31, 2019, to provide amongst other services examinations within one week as requested by the Township of Toms River, for a total maximum amount not to exceed \$5,000.00 for CY19, contingent upon the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

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

PART XXXI

WHEREAS, the Township of Toms River has a need to acquire a Township Physician retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of *N.J.S.A. 19:44A-20 et. seq.*; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on December 4, 2018:

1. Urgent Care Group, PA t/a Urgent Care Now Physicians, 972 Hooper Avenue, Suite 2, Toms River, New Jersey 08753
2. Meridian Occupational Health, P.C., 2-12 Corbett Way Suite 101, Eatontown, New Jersey 07724; and

WHEREAS, a review of the submitted proposal to the Council reveals that the firm of Urgent Care Group, PA d/b/a Urgent Care Now Physicians has provided these services to Stafford and Barnegat Townships; and

WHEREAS, the firm has eight physicians on staff and provides a wide selection of medical services and testing

WHEREAS, the firm has acted as the Township Physician and find their services to be professional and competent:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Urgent Care Group, PA d/b/a Urgent Care Now

as Township Physician, retroactive to April 24, 2019 up to and including December 31, 2019, Ishihara Color Vision testing, 14 plate: \$15.00, ECG-Routine 12 Lead; w/intrpt. & report: \$46.00, Eduex Physical Administrative: \$60.00, Comprehensive Metabolic Panel via M: \$30.00, complete blood count: \$22.00, for a total maximum amount not to exceed \$5,000.00 for CY19, contingent on the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

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

PART XXXII

WHEREAS, the Township of Toms River has a need to acquire a Township Psychologist retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of *N.J.S.A. 19:44A-20 et. seq.*; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on December 6, 2018:

1. The Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, New Jersey 07436; and

WHEREAS, the Institute for Forensic Psychology is located at the northern part of the state and located too far for the needs of the Township of Toms River; and

WHEREAS, this award does not exceed a total maximum amount of \$15,000.00 and is not subject to the Fair and Open Process, pursuant to the provisions of *N.J.S.A. 19:44A-20 et. seq.*; and

WHEREAS, Raymond F. Hanbury, Phd., 2640 State Highway 70, Building 7A, Suite 202, Manasquan, New Jersey 08736, expressed an interest to continue this service for the Township of Toms River; and

WHEREAS, Raymond J. Hanbury, Phd. acts as police psychologist for twelve municipalities in the area and has extensive experience in this field; and

WHEREAS, Raymond J. Hanbury, Phd., has been retained by the Township of Toms River for many years in a competent and professional manner:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Raymond F. Hanbury, Phd., 2640 State Highway 70, Building 7A, Suite 202, Manasquan, New Jersey 08736

as Township Psychologist, retroactive to April 24, 2019 up to and including December 31, 2019, Police Officer- Psych. Evaluation: \$500.00, SLEOI (Class 1's): \$250.00, for a total maximum amount not to exceed \$15,000.00 for CY19, contingent on the execution of a contract, the availability of funds and the adoption of the CY19 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

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

- a) Mayor Thomas Kelaher
- b) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) All Department Heads
- f) Engineering Division
- g) Purchasing Division
- h) Township Clerk's Office
- i) Township Municipal Court
- j) Barker, Gelfand, James & Sarvas, P.C.
210 New Road Unit 2
Linwood, N. J. 08221

- k) Bonnie R. Peterson, Esq.
1201 SW Central Avenue
P.O. Box J
Seaside Park, New Jersey 08752
- l) Brian J. Di Stefano, L.L.C.,
1 Pelican Drive, 2nd Floor, Suite 6,
Bayville, N.J. 08721
- m) Citta, Holzapfel & Zabarsky, P.C.
248 Washington Street
Toms River, New Jersey 08753
- n) Chiesa, Shahinian and Giantomasi, P.C.
1 Boland Drive
West Orange, New Jersey 07052
- o) CME Associates,
1460 Route 9 South,
Howell, New Jersey 07731
- p) Coffey & Associates
310 South Street
Morristown, N.J. 07960
- q) Connor, Strong & Buckelew Companies, LLC
40 Lake Center Executive Park
401 Route 73 North
Marlton, New Jersey 08053
- r) Cummings Veterinary Services d/b/a East Coast New Jersey
Spay Clinic
918 Hazlewood Road,
Toms River, New Jersey 08753
- s) Dasti, Murphy, McGuckin, Ulaky, Koutsouris &
Connors, P.C.,
620 West Lacey Road
Forked River, New Jersey 08731
- t) Edward J. Simone, CPA, RMA,
William E. Antonides & Co.
2807 Hurley Pond Road
P.O. Box 1137
Wall, N.J. 07718-1137
- u) Emergemed, L.L.C.
Att'n: Dr. Larry Des Rochers, M.D.
640 Harbor Road
Brick, New Jersey 08724
- v) French & Parrello Associates, P.A.
1800 Rte. 34, Suite 101
Wall, N.J. 07719
- w) Gluck & Walrath, L.L.P.
428 River View Plaza
Trenton, New Jersey 08611
- x) Henry J. Mancini and Associates
691 Mill Creek Road, Unit 11
Manahawkin New Jersey 08092
- y) Hierung, Gannon & McKenna
29 Hadley Avenue, Suite 2,
Toms River, New Jersey 08753
- z) Holman, Frenia, Allison, P.C.,
680 Hooper Avenue, Bldg. B, Suite 201
Toms River, NJ 08753
- aa) Jersey Shore Veterinary Emergency Services, 1000 Route 70
Lakewood, New Jersey 08701
- bb) Kevin Riordan, Esq.
20 Hadley Avenue, Suite 2
Toms River, New Jersey 08753
- cc) Mark A. Schneider, Esq.
55 Manchester Ave.
P.O. Box 258
Forked River, N.J. 08731

- dd) Maser Consulting, PA,
331 Newman Springs Road, Suite 203
Red Bank, New Jersey 07701
- ee) Memoli & Company, PC
222 Oak Avenue, Suite 5
Toms River, New Jersey 08753
- ff) Mid-State Abstract Company
207 Hooper Avenue,
P.O. Box 413
Toms River, New Jersey 08754
- gg) Mott, MacDonald, L.L.C.
3 Paragon Way
Freehold, New Jersey 07728
- hh) O'Donnell, Stanton & Associates, Inc.
Member of the Van Cleef Engineering Group
1705 Route 37 East
Toms River, New Jersey 08753
- ii) Owen, Little & Associates
443 Atlantic City Blvd.
Beachwood, N.J. 08722
- jj) Paul R. Rizzo, Esq., DiFrancesco, Bateman, Kunzman, Davis,
Lehrer & Flaum, P.C.
15 Mountain Blvd.
Warren, New Jersey 07059
- kk) Piazza & Associates, Inc.
216 Rockingham Row
Princeton, N.J. 08540
- ll) Preferred Behavioral Health Group, Inc.
1500 Route 88
Brick, New Jersey 08724
- mm) Professor Marci A. Hamilton, Esq.
36 Timber Knoll Drive
Washington Crossing, PA 18977;
- nn) Raymond F. Hanbury, Phd.
2640 State Highway 70, Building 7A, Suite 202, Manasquan,
New Jersey 08736
- oo) Remington Vernick & Vena Engineers
9 Allen Street
Toms River, N.J. 08753
- pp) Rumpf Law, P.C.
11 Leifried Lane,
Tuckerton, New Jersey 08087
- qq) Dr. Samir Jain, d/b/a N.J. Heart and Vascular
Specialists,
599 Route 37 West, Suite #5,
Toms River, New Jersey 08755
- rr) T & M Associates
11 Tindall Road
Middletown, New Jersey 07748
- ss) Terry F. Brady, Esq.
Brady & Kunz, P.C.
680 Hooper Avenue, Building C, 2nd Floor, P.O. Box 0,
Toms River, New Jersey 08754
- tt) The Musial Group,
191 Mill Lane,
Mountainside, New Jersey 07902
- uu) TRC Environmental Corp.
41 Spring Street
New Providence, New Jersey 07974
- vv) Urgent Care Group, PA t/a
Urgent Care Now Physicians
970 Hooper Avenue, Suite 2
Toms River, New Jersey 08753
- ww) Vetcor of Toms River, L.L.C., t/a
Calling All Creatures Veterinary Hospital
246 Washington Street

- Toms River, N.J. 08753
- xx) Yezzi Associates, L.L.C.,
18 Washington Street,
Toms River, New Jersey 08753
- yy) ARH (Adams, Rehmann & Heggen Associates,
Inc.)
215 Bellevue Ave.
PO Box 579
Hammonton, New Jersey 08037
- zz) Alaimo Group
200 High Street
Mt. Holly, New Jersey 08060

RESOLUTION May 14, 2019

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

<u>Name</u>	<u>Type of License</u>	<u>Taxi Company</u>
23-19 Balwinder Chandi	Taxi Driver (Renewal)	TC USA Service LLC

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 PERFORMANCE GUARANTEES FOR A
MAJOR SUBDIVISION KNOWN AS KJ ESTATES, BLOCK 688, LOTS 58, 58.01,
58.02, 58.03, 58.04 AND 95.
(Dave Marion Road & Nottingham Court)**

May 14, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision, known as KJ Estates, Block 688, Lots 58, 58.01, 58.02, 58.03, 58.04 & 95

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) Performance Cash Bond in the amount of \$15,100.00 originally accepted by way of Resolution B, dated June 13, 2006, currently on deposit in account # 9-14- -902-101 is hereby released with applicable interest;
- 2) Letter of Credit in the amount of \$135,900.00 currently in account # X-18- -101-442, is hereby released;
- 3) Letter of Credit in the amount of \$14,400.00 currently in account # X-18- -101-443, is hereby released;
- 4) Performance Cash Bond in the amount of \$1,600.00 originally accepted by way of Resolution C, dated June 13, 2006, currently on deposit in account # X-19- -601-667, 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. E & M Associates, LLC
1241 Route 37 West
Toms River, NJ 08755

**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 FARRO'S TEES, BLOCK 444.07, LOT 22
(Fischer Blvd)**

May 14, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Farro's Tees, Block 444.07, Lot 22.

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 \$550.00 currently on deposit in account # 9-14- -902-101 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. Dominick Farro
873 Fischer Blvd
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A
MAJOR SUBDIVISION KNOWN AS LAUREL HOLLOW ESTATES, BLOCK 442.59,
LOT 1 AND BLOCK 442.30, LOT 1.**

(Shenandoah Blvd & Indian Hill Rd)

May 14, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision, known as Laurel Hollow Estates, Block 442.59, Lot 1 and Block 442.30 Lot 1.

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 \$2,820.00 originally accepted by way of Resolution "L" dated January 30, 2002, currently on deposit in account # 9-14- -902-101 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. GMP Construction Co., Inc.
1101 Richmond Avenue, Suite 105
Point Pleasant, NJ 08742

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A
LANDSCAPING PLAN KNOWN AS, BLOCK 852, LOT 32
(3324 ROUTE 37 EAST)**

May 14, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Landscaping Plan known as Block 852, Lot 32.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Checks in the amount of \$5,000.00 which represents the full portion of the Performance & Stabilization Guarantee amount.
- 2) Check in the amount of \$500.00 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 Shria Holdings, 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. Shria Holdings , LLC
3324 Route 37 East
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 1 – WITH
YANNUZZI ENVIRONMENTAL SERVICES, INC., FOR THE SILVERTON STREAM
CLEANING PROJECT, IN THE MAXIMUM AMOUNT NOT TO EXCEED AN ADDITIONAL
\$24,975.00, FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED \$149,930.00**

MAY 14, 2019

WHEREAS, resolution of the Township Council dated September 11, 2018, authorized an award of contract to Yannuzzi Environmental Services, Inc., for the Silverton Stream Cleaning Project, in the total maximum contract price not to exceed \$124,955.00;

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

1. Change Order No. 1 – for the Silverton Stream Cleaning Project with Yannuzzi Environmental Services, Inc., to wit:

DESCRIPTION OF CHANGE:

Removal of unforeseen clog downstream of project area in accordance with NJDEP Emergency Authorization dated 3/29/2019, using a floating excavator and limited side casting to 3”.

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	X
Total Extras This C.O.	\$24,975.00	X
Total Supplementary This C.O.	X	X
Total This C.O.	\$24,975.00	X
Previous Change Orders	X	X
Total Change Orders to Date	\$24,975.00	X
Net Change in Contract	\$24,975.00	
ORIGINAL CONTRACT BID PRICE		\$124,955.00
NEW CONTRACT PRICE		\$149,930.00

be and the same is hereby ratified and confirmed.

2. Funds in the additional amount of \$24,975.00, are available in Account No. X-04-236-001. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Chief Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) Yannuzzi Environmental Services, Inc.
135 Kinnelon Road
Suite 102
Kinnelon, NJ 07505

CERTIFICATION

THIS IS TO CERTIFY that the funds for Change Order No. 1, with Yannuzzi Environmental Services, Inc., in the additional amount not to exceed \$24,975.00, are available in Account No. X-04-236-001.

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

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: May 14, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A HOLD HARMLESS AND INDEMNITY AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND SILVER BEACH ASSOCIATION, AGREEING TO INDEMNIFY AND HOLD HARMLESS THE TOWNSHIP FROM ALL LIABILITY, LOSS OR DAMAGE OF ANY NATURE, INCLUDING ATTORNEY'S FEES AND EXPENSES, ARISING OUT OF THE USE OF SILVER BEACH'S ATV ON THE WALKWAY AND OCEANFRONT BEACH

MAY 14, 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. The Mayor is authorized to execute and the Township Clerk to attest to a Hold Harmless and Indemnity Agreement between the Township of Toms River and Silver Beach Association ("Silver Beach"), a copy of which is attached hereto, wherein Silver Beach agrees to indemnify and hold harmless the Township from all liability, loss or damage of any nature, including attorney's fees and expenses, arising out of the use of Silver Beach's ATV on the walkway and oceanfront beach.

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

- a. Township Attorney
- b. Chief Financial Officer
- c. Purchasing Division
- d. Recreation Department
- e. Silver Beach Association
PO Box 3
Normandy Beach, NJ 08739
Attn: Janet Doremus, Secretary

Pat Klaslo questioned the following Resolution. Chief Financial Officer Smith explained.

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

RESOLUTION OF THE TOWNSHIP OF TOMS RIVER AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT AND FINAL OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE TOWNSHIP'S BOND ANTICIPATION NOTES IN AN AGGREGATE AMOUNT NOT EXCEEDING \$34,502,055 AND APPROVING A CONTINUING DISCLOSURE CERTIFICATE WITH RESPECT TO SAID NOTES OF THE TOWNSHIP, AND AUTHORIZING AND/OR RATIFYING OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Township Council of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), has previously adopted a bond ordinance numbered 4398-13 on April 23, 2013 as amended (collectively, the "Sandy Ordinance"), a bond ordinance numbered 4463-14 adopted on November 10, 2014 ("Ordinance 4463-14"), a bond ordinance numbered 4464-14 adopted on November 10, 2014 ("Ordinance 4464-14"), a bond ordinance numbered 4507-16 adopted on April 26, 2016 as amended by a bond ordinance numbered 4522-16 adopted on December 13, 2016 (collectively, "Ordinance 4507-16"), a bond ordinance numbered 4564-17 adopted on December 26, 2017 ("Ordinance 4564-17"), a bond ordinance numbered 4565-17 adopted on December 26, 2017 ("Ordinance 4565-17"), a bond ordinance numbered 4566-17 adopted on December 26, 2017 ("Ordinance 4566-17"), a bond ordinance numbered 4572-18 adopted on February 13, 2018 ("Ordinance 4572-18"), a bond ordinance numbered 4611-18 adopted on November 11, 2018 ("Ordinance 4611-18") and a bond ordinance numbered 4612-18 adopted on November 11, 2018 ("Ordinance 4612-18", and together with the Sandy Ordinance, Ordinance 4463-14, Ordinance 4464-14, Ordinance 4507-16, Ordinance 4564-17, Ordinance 4565-17, Ordinance 4566-17, Ordinance 4572-18 and Ordinance 4611-18, the "Ordinances") which authorized the issuance of bond anticipation notes; and

WHEREAS, the Township intends to issue its Bond Anticipation Notes in an aggregate amount not to exceed \$34,502,055 (the "Notes") under the Ordinances for the purpose of refunding a portion of the Township's \$29,145,255 Bond Anticipation Notes which were issued on June 19, 2018 and mature on June 19, 2019, and used to refinance certain capital improvements and to finance the cost of new and additional capital improvements; and

WHEREAS, all matters pertaining to the sale of the Notes have been delegated by the Ordinances to the Chief Financial Officer of the Township; and

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

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

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

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

Section 3. Further Action. Any matter relating to the award, sale or execution of the Notes which has been delegated by the Ordinances and the SEN Resolution to the Chief Financial Officer may be performed by said officer. On behalf of the Township, the appropriate representatives of the Township are authorized and directed to take all steps which are necessary or convenient to effectuate

the terms of this Resolution with respect to the issuance, sale and delivery of the Notes, including, but not limited to the execution of all tax certificates and other closing documentation. All such actions heretofore taken are hereby ratified, approved and confirmed.

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

Section 5. 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) Township Attorney
- d) Chief Financial Officer
- e) Bond Counsel
- f) Township Auditor

CERTIFICATE

I, Alison Carlisle, Clerk of the Township of Toms River, in the County of Ocean, New Jersey, HERBY CERTIFY that the foregoing annexed extract from the minutes of the meeting of the governing body of the Township duly called and held on May 14, 2019 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this ____ day of _____, 2019.

[SEAL]

ALISON CARLISLE, Township Clerk

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the Township of Toms River, in the County of Ocean, New Jersey (the "Issuer") in connection with the issuance by the Issuer of its \$34,502,055 principal amount of Bond Anticipation Notes (the "Notes"). The Notes are being issued pursuant to bond ordinances duly adopted by the Issuer. The Issuer covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Noteholders and Beneficial Owners of the Notes and in order to assist the Participating Underwriter in complying with the provisions of Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission ("SEC") under the Securities Exchange Act of 1934, as the same may be amended from time to time ("Exchange Act").

SECTION 2. Definitions. The following capitalized terms shall have the following meanings:

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Notes (including persons holding Notes through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Notes for federal income tax purposes.

"Continuing Disclosure Information" shall mean: (i) any notice required to be filed with the MSRB pursuant to Section 4 hereof; and (ii) any notice of an event required to be filed with the MSRB pursuant to Section 3(c) hereof.

"Dissemination Agent" shall mean the Issuer, or any successor Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

"Financial Obligation" means a (i) debt obligation; (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt

obligation; or (iii) guarantee of (i) or (ii). The term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

"Listed Events" shall mean any of the events listed in Section 3(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Exchange Act.

"Noteholder" shall mean any person who is the registered owner of any Note, including holders of beneficial interests in the Notes.

"Participating Underwriter" shall mean any of the original underwriters of the Notes required to comply with the Rule in connection with offering of the Notes.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

"State" shall mean the State of New Jersey.

SECTION 3. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 3, the Issuer shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Notes, if material:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on the debt service reserves reflecting financial difficulties;
4. unscheduled draws on the credit enhancements reflecting financial difficulties;
5. substitution of the credit or liquidity providers or their failure to perform;
6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Notes, or other material events affecting the tax-exempt status of the Notes;
7. modifications to rights of Noteholders, if material;
8. Note calls, if material, and tender offers;
9. defeasances;
10. release, substitution or sale of property securing repayment of the Notes, if material;
11. rating changes;
12. bankruptcy, insolvency, receivership or similar events of the Issuer, which shall be considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;

13. the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. appointment of a successor or additional trustee or the change of name of a trustee, if material;
15. incurrence of a Financial Obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer, any of which affect Noteholders, if material; and
16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.

(b) Whenever the Issuer obtains knowledge of the occurrence of a Listed Event described in subsection (a) for which the disclosure obligation is dependent upon materiality, the Issuer shall as soon as possible determine if such event would be material under applicable federal securities laws.

(c) If disclosure of a Listed Event is required, the Issuer shall in a timely manner not in excess of ten business days after the occurrence of the event, file a notice of such occurrence with the MSRB in an electronic format as prescribed by the MSRB. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

SECTION 4. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Notes. If such termination occurs prior to the final maturity of the Notes, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 3(c).

SECTION 5. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the Issuer.

SECTION 6. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Section 3, it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Notes, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Notes, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Noteholders or Beneficial Owners of the Notes.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the same manner as for a Listed Event under Section 3(a), and shall include a narrative explanation of the reason for the amendment or waiver.

SECTION 7. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of

dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Certificate to update such information or include it in any future notice of occurrence of a Listed Event.

SECTION 8. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate any Noteholder or Beneficial Owner of the Notes may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default on the Notes, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 9. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including attorneys fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Notes.

SECTION 10. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and the Noteholders and Beneficial Owners from time to time of the Notes, and shall create no rights in any other person or entity.

Date: June __, 2019

TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY

By: _____
Chief Financial Officer

A motion was made by Council Member Maruca, seconded by Council Member Huryk, and carried with Council Members Huryk, Maruca, and Council Member Turnbach voting yes, and Council Member Kubiel abstaining, and with Council Members Hill, Rodrick and Wittmann absent, the following Resolution was **carried to the May 28th , 2019 Council Meeting.**

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A TRAFFIC SIGNAL AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER, THE TOMS RIVER FIRE DISTRICT NO. 1 AND THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, FOR THE INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF ROUTE 166 AND HIGHLAND PARKWAY, IN THE TOWNSHIP OF TOMS RIVER

MAY 14, 2019

WHEREAS, a traffic condition exists at the intersection of Route 166 and Highland Parkway, in the Township of Toms River, in the County of Ocean, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push buttons, areas of presence detection, and emergency pre-emption equipment in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, the Township of Toms River will be responsible for payment of the electrical current operating costs.

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to operation and maintenance of said traffic signal;

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

1. The Mayor is authorized to enter into and execute an agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof.
2. The Township of Toms River will be responsible for payment of the electrical current operating costs.
3. A copy of the fully-executed agreement shall remain on file in the Office of 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) Mayor Thomas Kelaheer
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Engineering Division
- g) New Jersey Department of Transportation
PO Box 600
Trenton, NJ 08625-0600
Attn: Michael Gray
Supervising Engineer, Electrical
Bureau of Traffic Engineering
- h) Toms River Fire Commissioners
District No. 1
1144 Hooper Avenue
Suite 306
Toms River, NJ 08753

CERTIFICATION

I hereby certify that the foregoing to be a true copy of a resolution adopted by the Township of Toms River, at a regular meeting held on May 14, 2019.

ALISON CARLISLE
TOWNSHIP CLERK

Chris Golembeski questioned the following Resolution.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE**

TOWNSHIP CLERK TO ATTEST TO A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIPS OF TOMS RIVER AND MANCHESTER, TO LINK THE SPILLMAN PUBLIC SAFETY SYSTEM (SPSS) FOR JOINT USE

MAY 14, 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. The Mayor is authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Townships of Toms River and Manchester to link the Spillman Public Safety Systems (SPSS) for joint use.

2. A copy of the Shared Services Agreement is attached to this resolution as Schedule "A", and made a part hereof.

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 Kelaher
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Toms River Police Department
- h) Mayor Kenneth Palmer
Township of Manchester
1 Colonial Drive
Manchester, NJ 08759

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Maruca, Turnbach, and President Pro Temp Kubiel voting yes, and Council Member Huryk abstaining, and with Council Members Hill, Rodrick, and Wittmann absent, the following Resolution was **carried to the May 28th Council Meeting**.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH THE FIRM OF REMINGTON & VERNICK ENGINEERS, TO ASSIST THE TOWNSHIP ENGINEERING DIVISION WITH THE DRAINAGE, PAVING AND LIGHTING DESIGN, SPECIFICATIONS AND COORDINATION PROJECT AT THE GARDENS AT PLEASANT PLAINS FOR A TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$102,500.00

MAY 14, 2019

WHEREAS, the Township Council awarded contracts by way of resolution to various business entities for services provided in the 2018 calendar year; and

WHEREAS, resolution of the Township Council dated January 3, 2019, authorized an extension of certain professional service contracts to February 26, 2019, at the same rates approved in 2018, subject to the availability of funds and the adoption of the 2019 budget; and

WHEREAS, resolution of the Township Council dated February 26, 2019, authorized an extension of certain professional service contracts to March 26, 2019, at the same rates approved in 2018, subject to the availability of funds and the adoption of the 2019 budget; and

WHEREAS, resolution of the Township Council dated March 26, 2019, authorized an extension of certain professional service contracts to April 23, 2019, at the same rates approved in 2018, subject to the availability of funds and the adoption of the 2019 budget; and

WHEREAS, resolution of the Township Council dated May 14, 2019, authorized the firm of Remington & Vernick Engineers be put on a pre-approved list for the calendar year 2019 for

inspection and general engineering services, commencing retroactive to April 24, 2019 up to and including December 31, 2019, at the following rates:

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

subject to the execution of a contract, the availability of funds, and the adoption of the CY19 budget, for the period commencing retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, the Township requires the need for professional engineering services to assist the Township Engineering Division with the Drainage, Paving and Lighting Design, Specifications and Coordination Project for the Gardens at Pleasant Plains; and

WHEREAS, Remington & Vernick Engineers, has submitted a Proposal dated April 10, 2019, for the Drainage, Paving and Lighting Design, Specifications and Coordination Project for the Gardens at Pleasant Plains, in the total amount not to exceed \$102,500.00; and

WHEREAS, the Township Engineer has reviewed the Proposal submitted by Remington & Vernick Engineers, and has recommended award of contract to Remington & Vernick Engineers for this 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. It hereby authorizes a contract with the firm of Remington & Vernick Engineers, to perform professional engineering services to Assist the Township Engineering Division for the Drainage, Paving and Lighting Design, Specifications and Coordination Project for the Gardens at Pleasant Plains, in the total maximum contract amount not to exceed \$102,500.00, in accordance with their Proposal dated April 10, 2019, at the following rates:

Principal Engineer	\$148.00/hour
Project Manager (PE)	\$128.00/hour
Design Engineer (EIT)	\$107.00/hour
Design Engineer	\$ 97.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hour
Senior Designer	\$ 77.00/hour
Computer Technician	\$ 77.00/hour
Engineering Technician	\$ 77.00/hour
Survey Technician	\$ 66.00/hour

Senior CADD Operator	\$ 77.00/hour
CADD Operator	\$ 61.00/hour
Field Survey Crew	\$138.00/hour
Senior Inspector	\$ 87.00/hour
Inspector Level 1	\$ 51.00/hour
Inspector Level 2	\$ 71.00/hour
Secretary/Clerical	\$ 33.00/hour
Delivery	\$ 33.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

Task 1 – Survey	-	\$ 30,000.00
Task 2 – Coordination with Outside Utilities	-	\$ 7,500.00
Task 3 – Construction Plans, Specifications, And Cost Estimate	-	\$ 60,000.00
Task 4 – Reimbursable Expenses	-	\$ 5,000.00
TOTAL:		\$102,500.00

2. Term of Contract: Commencing May 15, 2019 through completion of the project.

All paperwork in connection with this project is on file in the Engineering Division.

3. Funds in the maximum amount not to exceed \$102,500.00, are available in Account No. X-04- -244-002. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

4. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement with the firm of Remington & Vernick Engineers.

5. A notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.

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 Kelaher
- b) Purchasing Division
- c) Chief Financial Officer
- d) Township Attorney
- e) Township Engineer
- f) Remington & Vernick Engineers
9 Allen Street
Toms River, NJ 08753
Attn: Alan B. Dittenhofer, PE, PP, CME
Principal

CERTIFICATION

THIS IS TO CERTIFY that the funds for the professional service contract with the firm of Remington & Vernick Engineers, in the amount not to exceed \$102,500.00, are available in Account No. X-04- -244-002, at the following rates:

Principal Engineer	\$148.00/hour
Project Manager (PE)	\$128.00/hour
Design Engineer (EIT)	\$107.00/hour
Design Engineer	\$ 97.00/hour

Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hour
Senior Designer	\$ 77.00/hour
Computer Technician	\$ 77.00/hour
Engineering Technician	\$ 77.00/hour
Survey Technician	\$ 66.00/hour
Senior CADD Operator	\$ 77.00/hour
CADD Operator	\$ 61.00/hour
Field Survey Crew	\$138.00/hour
Senior Inspector	\$ 87.00/hour
Inspector Level 1	\$ 51.00/hour
Inspector Level 2	\$ 71.00/hour
Secretary/Clerical	\$ 33.00/hour
Delivery	\$ 33.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

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

Dated: May 14, 2019

REPORTS

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubieli voting yes, and with Council Members Hill, Rodrick and Wittmann absent, to approve the following Reports.

	2019	2018
Bey Lea Golf Course – April	\$87,565.81	\$80,513.01
Bey Lea Golf Course – YTD through April	\$229,332.73	\$199,960.14
Winding River Ice Rink – April	\$64,616.00	\$64,278.00
Winding River Ice Rink – YTD through April	\$373,446.17	\$391,063.82
Building Permits - April	\$226,378.00	\$168,271.00
Building Permits – YTD through April	\$866,237.00	\$732,223.00
Beach Badges – YTD through April	\$59,035.00	\$23,600.00
Pool Badges – YTD through April	\$1,500.00	\$825.00

APPROVAL OF BILLS

The Bill List, dated **May 10, 2019** was approved on motion by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members, Huryk, Maruca, Turnbach, and President Pro Temp Kubieli voting yes, and with Council Members Hill, Rodrick and Wittmann absent. The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member Huryk asked for a report on the bills.

Purchase Order 17-01326, 19-01677, 19-02163, 19-02169, payable to Remington & Vernick Engineers in the amount of \$19,672.55.

Purchase Order 19-02345 & 19-02666, payable to Recreation Salaries in the amount of \$16,816.09.

Purchase Order 19-00619, payable to Borough of Lavallette in the amount of \$2,345.39.

Council President Pro Temp Kubiel asked for a report on the bills.

Purchase Order 19-02256, payable to Toms River Fire Company One in the amount of \$800.00.

Purchase Order 19-01996, payable to Saint Barnabus in the amount of \$1,188.08.

Council Member Maruca asked for a report on the bills.

Purchase Order 19-02176, 19-02345 & 19-02666, payable to New Jersey Motor Vehicle Commission in the amount of \$6,802.00.

Purchase Order 19-01678, 19-02164, payable to Dasti & McGuckin in the amount of \$6,156.00.

Purchase Order 19-00994 & 19-02330, payable to Gregory McGuckin, Esquire, in the amount of \$11,336.95.

Purchase Order 19-00456 & 19-02092, payable to Terry Brady, Esquire, in the amount of \$4,316.63.

Council Member Turnbach asked for a report on the bills.

Purchase Order 19-01678, 19-02164, payable to Dasti & McGuckin in the amount of \$6,156.00.

Purchase Order 19-00994 & 19-02330, payable to Gregory McGuckin, Esquire, in the amount of \$11,336.95.

Purchase Order 19-02345 & 19-02666, 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 \$7,100.00.

Purchase Order 19-01925, payable to Ocean County Court Administrators Association in the amount of \$320.00.

NOTE: The above list of exceptions were not approved but carried to the May 28, 2019 Regular Council Meeting.

ELECTED OFFICIALS COMMENTS

Township Administrator Guardian has no comments.

Councilman Turnbach commended Chief Financial Officer Smith for her work on the budget. He also spoke regarding Farmers Market every Wednesday starting May 22nd, and property tax rebate program.

Councilwoman Maruca spoke regarding Community Day at Toms River Police Department and Animal Shelter; National Police Week Unity Tour - bike from New Jersey to Washington DC; and Memorial Day Parade.

Councilwoman Huryk spoke regarding “Art Heals” and Chili Fest on same day; Police Open House and National Night Out; and Memorial Day Parade.

Councilman Kubiak spoke regarding Unity Tour (780 riders and over 200 miles from West Trenton to Washington DC).

PUBLIC COMMENTS

President Pro Temp Kubiak announced the public portion and asked if any one wished to speak at this time.

Bill McVale, Woodbine Lane, complaining about building department not answering phones. Township Administrator Guardian to look into it.

Louisa Arias, 895 Somerset Drive, spoke regarding dog park at Deer Hollow Park.

Wayne Leftgos in favor of dog park and geese patrol.

No further comments from the public appearing, a motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried to close public comment.

A motion was made by Council Member Maruca, seconded by Council Member Huryk, and carried to enter into a private Executive Session at 7:05 PM.

A motion was made by Council Member Maruca seconded by Council Member Huryk, 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
Land Acquisitions
Contract Negotiations

3. The following specific topics were announced.
 1. Executive Session Minutes Review: April 9, 2019 Regular Meeting and April 23, 2019 Regular Meeting
 2. Personnel:Issues
 3. Review of status of all real property acquisitions (voluntary acquisitions and eminent domain actions).
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 Kubiak	- Present
Council Member Maruca	- Present

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

The Council **reconvened** the public portion at 7:36 P.M., a motion was made by Council Member Kubiell, seconded by Council Member Turnbach, and carried with Council Members Huryk, Maruca, Turnbach, and President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent.

No other business appearing, the meeting was **adjourned** at 7:37 P. M., on motion with Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Huryk, Maruca, Turnbach, and with President Pro Temp Kubiell voting yes, and with Council Members Hill, Rodrick and Wittmann absent.

COUNCIL PRESIDENT PRO TEMP BRIAN S. KUBIEL

ALISON CARLISLE, TOWNSHIP CLERK