

September 10, 2019

A Regular Meeting of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at 6:00 PM.

The meeting was called to order by Council President Wittmann. Boy Scout Troop 92 presented the Colors and led the Pledge of Allegiance to the Flag.

A Moment of Silence in Memory for the victims of the September 11, 2001 attacks.

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

APPROVAL OF MINUTES

A motion was made by Council Member Maruca, seconded by Council Member Kubiell, and with Council Members Hill, Huryk, Kubiell, Maruca, Rodrick, Turnbach, and Council President Wittmann voting yes, to approve the **Regular Meeting of August 27, 2019**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

HONORING RESOLUTIONS AND PRESENTATIONS

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

Mayor Kelaher and Police Chief Little introduced and spoke regarding the following Police Officers who retired and each was presented with a clock.

Sergeant Theodore Grob #262
Sergeant Keith Diehl #257
Deputy chief James Harris #258
Corporal Pamela Slaven #244 was not present.

Police Chief Little introduced the following new Police Officers and Mayor Kelaher swore them in.

Richard Galati #445
Sean McNicholas #444
Tyler Pinto #443
Eric Nelson #442

The following officers were introduced by Police Chief Little for their promotion, and Mayor Kelaher swore them in:

Detective Daniel Brennan #290
Sergeant Frank Lauria #308
Sergeant Andrew Chencharik #338
Sergeant Shan Ruiz #331
Lieutenant Guy Maire #282
Captain William Morsch #267

A short break at 6:41 p.m. Reconvene at 6:49 p.m.

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

A motion was made by Council Member 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 SECTION 477-70, SCHEDULE XII (STOP INTERSECTIONS) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE TO ESTABLISH A STOP SIGN DESIGNATION ON WASHINGTON AVENUE

(STOP INTERSECTION – WASHINGTON AVENUE AND TRENTON AVENUE)

(STOP SIGN TO BE INSTALLED ON WASHINGTON AVENUE)

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

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

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

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 473 (VACANT AND FORECLOSED PROPERTIES) OF THE TOWNSHIP CODE TO COMPLY WITH THE REVISED NOTICE REQUIREMENTS FOR OUT-OF-STATE CREDITORS IMPOSED BY P.L. 2019, C. 66

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

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

Council Member Maruca offered the following ordinance and moved its adoption, Council Member Huryk seconded the motion:

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

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

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

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

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 Huryk, and carried that an Ordinance entitled:

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PUBLIC SALE OF TAX LOT 35, BLOCK 190 (FILMORE STREET), IN THE TOWNSHIP OF TOMS

**RIVER, OCEAN COUNTY, NEW JERSEY TO A CONTIGUOUS PROPERTY
OWNER PURSUANT TO N.J.S.A. 40A:12-13(b)(5)**

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

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

Council Member Maruca offered the following ordinance and moved its adoption, Council Member Huryk seconded the motion:

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

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

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

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

CONSENT AGENDA

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

RESOLUTION

SEPTEMBER 10, 2019

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
ARCHER & GREINER PC TRUSTEE FOR GREEN ACRES MANOR	172	28.03	2015/4	\$ 26,424.00
			2016/4	35,402.00
			2017/4	36,254.50
			TOTAL	98,080.50
ARCHER & GREINER PC TRUSTEE FOR 910 HAZELWOOD RD LLC	444.28	15	2015/4	4,050.32
			2016/4	5,346.10
			2017/4	6,656.57
			2018/4	7,890.61
			TOTAL	23,943.60
ARCHER & GREINER PC TRUSTEE FOR 101 KENSINGTON MANOR LLC	364	16.02	2014/4	18,830.72
			2015/4	30,821.39
			2016/4	43,389.15
			2017/4	56,128.98
			2018/4	68,287.94
			TOTAL	217458.18
ARCHER GREINER PC TRUSTEE FOR MAGNOLIA GARDENS SOUTH	172	28.01	2015/4	22,548.48
			2016/4	29,098.16
			2017/4	35,646.36
			2018/4	41,777.70
			TOTAL	129070.70
TOTALS:				\$468552.98

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

SEPTEMBER 10, 2019

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
1256 IHR ASSOC @ SKOLOFF & WOLFE P.C.	539	2.04	2017/4	\$169182.21
			2018/4	170339.51
			TOTAL	339521.72
BASF CORPORATION	411	6.01	2019/4	217976.09
			2019/3	217976.10
			TOTAL	435952.19
IDEAL PLAZA INVESTORS ASSOC@ ZIPP & TANNENBAUM LLC	646	9	2017/4	6894.64
			2018/4	1177.00
			TOTAL	8071.64
SILVERTON INVESTORS LLC BY CB RESTAURANT @ ZIPP &	233.01	2.03	2017/4	4678.00

TANNENBAUM LLC				
			2018/4	7065.00
			TOTAL	11743.00
STOP @ SHOP SUPERMARKET CO @ SKOLOFF @ WOLFE P.C.	690	2	2017/4	35010.00
			2018/4	41195.00
			TOTAL	76205.00
TOTAL:				\$871493.55

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
SEPTEMBER 10, 2019**

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
ZERO BARNEGAT BAY LLC @ NATHAN P. WOLFE, LLC	947	1	2019/4	\$1,743.74
			2019/3	1,743.74
			TOTAL	3,487.48

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

SEPTEMBER 10, 2019

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

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
DUFFIELD, P. & ASSOCIATES @ TA @ R.C. SHEA ASSOC.	172	10.04	2019/3	\$ 778.33
TOTAL:				\$ 778.33

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

SEPTEMBER 10, 2019

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
BONANNO, MICHAEL/KATARZNA	507.53	3	2019/3	\$ 600.95
			2019/4	556.94
			TOTAL	\$1,157.89
WELLS FARGO RL ESTATE TAX SER LLC	1501.10	17	2019/3	967.20
			TOTAL	967.20

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
SEPTEMBER 10, 2019**

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
GOLEMBESKI, BARBARA	412.41	4.05	2019/3	\$ 661.12
			2019/4	661.12
			TOTAL	1,322.24

<i>OCEAN COUNTY MALL S&S LLC</i>	<i>578</i>	<i>3.01</i>	<i>2019/3</i>	<i>17,355.44</i>
			<i>2019/4</i>	<i>17,355.43</i>
			<i>TOTAL</i>	<i>34,710.87</i>
<i>RIZVA, VAIT</i>	<i>235.32</i>	<i>24</i>	<i>2019/3</i>	<i>347.74</i>
			<i>2019/4</i>	<i>347.73</i>
			<i>TOTAL</i>	<i>695.47</i>
<i>TOTALS:</i>				<i>\$36,728.58</i>

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

Approved as to content:

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A
100% DISABLED VETERANS' STATUS FOR THE OWNER OF BLOCK 694.07 LOT 51,
EFFECTIVE AUGUST 6th, 2019, AND PROVIDING THAT PROPERTY TAXES FOR 2019,
AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

SEPTEMBER 10, 2019

WHEREAS, the owner of real property in the Township of Toms River known as Block 694.07 Lot 51 located at 940 Somerset Drive, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective August 6th, 2019, and

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

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

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

1. All 2019 real property taxes for Block 694.07 Lot 51 due on or after August 6th, 2019 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 694.07 Lot 51 if any, shall be refunded on a pro-rated basis from August 6th, 2019.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Thomas F. Kelaher
 - b) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney

- d) Sharon Smith, Chief Financial Officer
- e) Township Tax Assessor
- f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS' STATUS FOR THE OWNER OF BLOCK 510.30 LOT 20, EFFECTIVE JANUARY 1st, 2019, AND PROVIDING THAT PROPERTY TAXES FOR 2019, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

SEPTEMBER 10, 2019

WHEREAS, the owner of real property in the Township of Toms River known as Block 510.30 Lot 20 located at 119 Cardinal Drive, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective January 1st, 2019, and

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

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

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

1. All 2019 real property taxes for Block 510.30 Lot 20 due on or after January 1st, 2019 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 510.30 Lot 20 if any, shall be refunded on a pro-rated basis from January 1st, 2019.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Thomas F. Kelaher
 - b) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Sharon Smith, Chief Financial Officer
 - e) Township Tax Assessor
 - f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR THE REPLACEMENT OF CURBS AND SIDEWALKS AT VARIOUS LOCATIONS, TO SUFFOLK RECYCLING, AS THE LOWEST, RESPONSIVE BIDDER MEETING ALL OF THE BID SPECIFICATIONS

SEPTEMBER 10, 2019

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Replacement of Curbs and Sidewalks at Various Locations; and

WHEREAS, bids were received for the Replacement of Curbs and Sidewalks at Various Locations from the following vendors on August 22, 2019:

MNC Concrete LLC Suffolk Recycling Abhzeen Design Inc. Seacoast Construction Inc.

WHEREAS, the bids have been reviewed by the Division of Purchasing and Department of Parks, Buildings and Grounds, and it is their recommendation that a contract be awarded to Suffolk Recycling as the lowest, responsive bidder meeting all of the bid specifications; and

WHEREAS, the lowest bid received from MNC Concrete LLC is rejected due to incomplete paperwork, therefore rendering their bid non-responsive; and

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

1. It hereby awards an open-ended contract for the Replacement of Curbs and Sidewalks at Various Locations to Suffolk Recycling as the lowest, responsible bidder meeting all of the bid specifications.

2. This shall 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 award of these contracts are subject to all other terms and conditions of the bid specifications.

4. The Certification of Funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Parks, Buildings and Grounds
- e) Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract for the Replacement of Curbs and Sidewalks at Various Township Locations awarded to Suffolk Recycling, are contingent upon the availability of funds in the appropriate municipal budget.

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

SHARON E. SMITH
CHIEF FINANCIAL OFFICER

Dated: September 10, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF AN
OPEN-ENDED CONTRACT FOR THE SUPPLY OF POOL CHEMICALS FOR SNUG
HARBOR POOL TO W.R. NEWMANN CO. INC. D/B/A MIRACLE CHEMICAL
COMPANY, AS THE SOLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS**

SEPTEMBER 10, 2019

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the supply of pool chemicals for Snug Harbor Pool; and

WHEREAS, one bid was received from the following vendor on August 14, 2019, and reviewed by the Division of Purchasing and Department of Recreation, as follows:

W.R. Neumann Co. Inc. d/b/a
Miracle Chemical Company
1151 B Highway 33
Farmingdale, NJ 07727

WHEREAS, the bid was reviewed by the Division of Purchasing and the Department of Recreation, and recommendation has been made to award a contract to the sole bidder, meeting all of the bid specifications, as follows:

W.R. Neumann Co. Inc. d/b/a Miracle Chemical Company for Items Nos. 1, 3 and 4.

WHEREAS, Item Number 2 received no bids and will not be rebid. Quotes will be obtained prior to purchase;

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 supply of pool chemicals to the sole bidder, meeting all of the bid specifications, as follows:

W.R. Neumann Co. Inc. d/b/a Miracle Chemical Company – Items Nos. 1, 3 and 4.

2. The term of contract shall be effective September 25, 2019, through September 24, 2020. 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.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Recreation
- e) W.R. Neumann Co. Inc. d/b/a
Miracle Chemical Company
1151 B Highway 33
Farmingdale, NJ 07727

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract for the supply of pool chemicals for Snug Harbor Pool awarded to W.R. Neumann Co. Inc. d/b/a Miracle Chemical Company, are contingent upon the availability of funds in the appropriate municipal budget.

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

SHARON E. SMITH
CHIEF FINANCIAL OFFICER

Dated: September 10, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF OPEN-ENDED CONTRACTS TO INTERBORO PACKAGING CORP., CENTRAL POLY-BAG CORP., AND GLOPAK CORPORATION AS THE LOWEST BIDDERS MEETING ALL OF THE BID SPECIFICATIONS, FOR THE SUPPLY OF POLYLINERS

SEPTEMBER 10, 2019

WHEREAS, the Division of Purchasing is requesting authorization to award contracts for the supply of polyliners; and

WHEREAS, bids were received for the supply of polyliners from the following vendors on August 14, 2019:

Interboro Packaging Corp.
114 Bracken Road
Montgomery, NY 12549

Central Poly-Bag Corp.
2400 Bedle Place
Linden, NJ 07036

Glopak Corporation
132 Case Drive
South Plainfield, NJ 07080

All American Poly Corp.
40 Turner Place
Piscataway, NJ 08854

Fordion Packaging Ltd.
637 Wyckoff Ave., Ste. 335
Wyckoff, NJ 07481

WHEREAS, the bids have been reviewed by the Division of Purchasing, and it recommends that contracts be awarded to the lowest bidders meeting all of the bid specifications, as follows:

Interboro Packaging Corp. for Item Numbers: 1 through 5, 8, 10 and 11.

Central Poly-Bag Corp. for Item Numbers: 6, 7 and 9.

Glopak Corporation for Item Number: 12.

WHEREAS, the bids received from All American Poly Corp. and Fordion Packaging Ltd. were rejected due to incomplete paperwork, therefore rendering both bids non-responsive;

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

1. It hereby awards open-ended contracts for the supply of polyliners to the lowest bidders meeting all of the bid specifications, as follows:

Interboro Packaging Corp. for Item Numbers: 1 through 5, 8, 10 and 11.

Central Poly-Bag Corp. for Item Numbers: 6, 7 and 9.

Glopak Corporation for Item Number: 12.

2. The term of the contracts shall be effective September 25, 2019, through September 24, 2020. These shall be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget.

3. The award of these contracts are subject to all other terms and conditions of the bid specifications.

4. The Certification of Funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Animal Shelter
- f) Recreation Department
- g) Parks, Buildings & Grounds
- h) Records Management
- i) Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contracts for the supply of polyliners are awarded to Interboro Packaging Corp., Central Poly-Bag Corp. and Glopak Corporation, and are contingent upon the availability of funds in the appropriate municipal budget.

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

SHARON E. SMITH
CHIEF FINANCIAL OFFICER

Dated: September 10, 2019

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE IT DEPARTMENT/PURCHASING
DIVISION TO DISPOSE OF IT EQUIPMENT WHICH IS NO LONGER NEEDED FOR
PUBLIC USE, NOT USABLE BY THE TOWNSHIP OR SUITABLE FOR AUCTION AND
SHOULD BE DISPOSED OF BY RECYCLING WITH THE TOWNSHIP'S ELECTRONICS,
PURSUANT TO N.J.S.A. 40A:11-36**

SEPTEMBER 10, 2019

WHEREAS, the IT Department/Division of Purchasing are requesting authorization to dispose of IT Equipment which is no longer needed for public use, not usable by the Township or suitable for auction and should be disposed of by recycling with the Township's electronics; and

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

1. Pursuant to N.J.S.A. 40A:11-36, it hereby authorizes the IT Department/Division of Purchasing to dispose of IT Equipment which is no longer needed for public use, not usable by the Township or suitable for auction and should be disposed of by recycling with the Township's electronics.

2. The list of items to be disposed of by recycling with the Township's electronics 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) Purchasing Division
- b) Township Attorney
- c) Chief Financial Officer
- d) IT Department
- e) Public Works Department
- f) Grant Coordinator

Schedule "A"

"See Attachments"

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE DISPOSAL OF DEPARTMENT OF PUBLIC WORKS EQUIPMENT WHICH IS NO LONGER NEEDED FOR PUBLIC USE, NOT USABLE BY THE TOWNSHIP, OR SUITABLE FOR AUCTION, AND SHOULD BE DISPOSED OF BY RECYCLING, PURSUANT TO N.J.S.A. 40A:11-36

SEPTEMBER 10, 2019

WHEREAS, the Division of Purchasing is requesting authorization to dispose of Department of Public Works equipment which is no longer needed for public use, not usable by the Township or suitable for auction, and should be disposed of by recycling; and

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

1. Pursuant to N.J.S.A. 40A:11-36, it hereby authorizes the Division of Purchasing to dispose of Department of Public Works equipment which is no longer needed for public use, not usable by the Township or suitable for auction, and should be disposed of by recycling.

2. The list of items to be disposed of by recycling 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) Purchasing Division
- b) Township Attorney
- c) Chief Financial Officer
- d) Department of Public Works
- f) Grant Coordinator

SCHEDULE "A"

Item	Size	#	Serial #
Roll off container	20 yard	191	N/A
Roll off container	20 yard	182	N/A
Roll off container	20 yard	181	RP 153758
Roll off container	30 yard	185	N/A

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF THREE (3) HAMILTON SORTER MODULES FOR THE POLICE DEPARTMENT FROM GARDEN STATE OFFICE SYSTEMS & EQUIPMENT, WHO PROVIDED THE LOWEST QUOTE, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$7,115.00, MAKING THE TOTAL PURCHASES FROM THIS VENDOR EXCEED \$17,500.00 OVER THE LAST TWELVE MONTHS

SEPTEMBER 10, 2019

WHEREAS, the Purchasing Division has requested the Township to authorize the purchase of three (3) Hamilton Sorter Modules for the Police Department; and

WHEREAS, Garden State Office Systems & Equipment has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, certifying that the company has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which documents 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 Toms River to authorize this purchase;

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 purchase of three (3) Hamilton Sorter Modules for the Police Department from Garden State Office Systems & Equipment, 115 Campus Drive, Edison, New Jersey, 08837, which provided the lowest quote for this equipment. The total expenditure for this project will be \$7,115.00, making the total purchases from this vendor exceed \$17,500.00 over the last twelve months.

2. Funds for this purchase are available in Account No. X-04- -207-001.

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) Police Department
- e) Garden State Office Systems & Equipment
115 Campus Drive
Edison, NJ 08837

CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of three (3) Hamilton Sorter Modules for the Police Department from Garden State Office Systems & Equipment in the total contract amount not to exceed \$7,115.00, is available in Account No. X-04- -207-001, making the total purchases from this vendor exceed \$17,500.00 over the last twelve months.

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

SHARON SMITH
CHIEF FINANCIAL OFFICER

Dated: September 10, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CONTRACT WITH ALL AMERICAN FORD, FOR THE PURCHASE OF TWO (2) FORD F250 PICKUP TRUCKS FOR THE DEPARTMENT OF PARKS, BUILDINGS, GROUNDS AND CODE ENFORCEMENT, FROM THE OCEAN COUNTY

COOPERATIVE PRICING SYSTEM BID #B2018-175, IN THE AMOUNT NOT TO EXCEED \$87,236.00

SEPTEMBER 10, 2019

WHEREAS, pursuant to bids received, a contract was awarded by the County of Ocean, as Lead Agency for the Ocean County Cooperative Pricing System, State Contract No. 2017-158, of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11(6); and

WHEREAS, the aforementioned contract was awarded to All American Ford;

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 All American Ford for the Purchase of Two (2) Ford F250 Pickup Trucks for the Department of Parks, Buildings, Grounds and Code Enforcement, from the Ocean County Cooperative Pricing System, Bid #B2018-175, for a total maximum contract amount not to exceed \$87,236.00, pursuant to N.J.S.A. 40A:11-11(6), as follows:

All American Ford
3698 Route 9 South
Old Bridge, NJ 08857

<u>Item #</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Total</u>
	Model Year 2019 or Newer Ford F250 4x4			
1	Super Cab XLT Pickup Truck	2	\$33,284.00	\$66,568.00
1c	Vent Shield On All Doors	2	\$99.00	\$198.00
	Western 8 1/2' Ultra Mount Quick Connect			
1d	Contractor Pro Plus Snow Plow	2	\$4,805.00	\$9,610.00
	Enhanced Voice Recognition Communications			
1i	and Entertainment System	2	\$403.00	\$806.00
1k	XLT Value Package	2	\$1,428.00	\$2,856.00
1m	Road Department General Lighting Package	2	\$3,599.00	\$7,198.00
			Total Purchase:	\$87,236.00

Funds for this contract in the amount not to exceed \$87,236.00, are available in Account No. X-04- -248-002.

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

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

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) Department of Parks, Buildings and Grounds
- e) Department of Code Enforcement
- e) All American Ford
3698 Route 9 South
Old Bridge, NJ 08857

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with All American Ford, in the total contract amount not to exceed \$87,236.00, are available in Account No. X-04- -248-002.

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 E. SMITH
CHIEF FINANCIAL OFFICER

Dated: September 10, 2019

**RESOLUTION AMENDING BUDGET REVENUES AND APPROPRIATIONS
FOR 2019 OCEAN COUNTY SENIOR CENTER GRANT**

September 10, 2019

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant from the Ocean County Senior Services, and wishes to amend its 2019 Budget to include a portion of this amount as revenue by amending current amount of \$91,000.00 up to \$101,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, County of Ocean, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2019 Budget the sum of \$10,000.00 which is now available as revenue from:

Miscellaneous Revenues -

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services -Public and Private Revenues Offset with

Appropriations:

County of Ocean Grant (Senior).....\$10,000.00
pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

County of Ocean Grant (Senior).....\$10,000.00

BE IT FURTHER RESOLVED, that the Township Clerk forward copies of this resolution to the following:

- A) Division of Local Government Services (done electronically)
- B) Chief Financial Officer
- C) Township Auditor
- D) Grant Manager
- E) Department of Senior Services

Approved as to Content:

AMENDMENT TO A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTED DECEMBER 11, 2018, TO ADD THREE (3) ADDITIONAL ICE SKATING INSTRUCTORS, FOR A TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$7,000.00,

SEPTEMBER 10, 2019

WHEREAS, the Township of Toms River sponsors ice skating instruction at the Winding River Skating Center; and

WHEREAS, the services of six ice skating instructors were obtained for calendar year 2019; and

WHEREAS, the total amount of the contracts awarded under the December 11, 2018 resolution was not to exceed \$7,000.00; and

WHEREAS, this resolution will authorize hiring three additional ice skating instructors for Winding River Skating Center for calendar year 2019;

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 December 11, 2018 resolution is amended to authorize hiring three additional ice skating instructors for Winding River Skating Center for calendar year 2019. No additional monies are required for this amendment.
2. The services of the following instructors are retained on a per class basis or the winding River Ice Skating Rink for calendar year 2019:
 - a) **Amanda Rittweger**
14 Cayman Ave.
Toms River, NJ 08753
\$15.00/class
 - b) **Kaitlin Raulerson**
112 Attison Ave.
South Toms River, NJ 08757
\$15.00/class
 - c) **Anthony Frattini**
102 Rolling Hills Court
Toms River, NJ 08755
\$15.00/class
3. Fully executed purchase orders shall serve as the necessary contract documentation between the parties hereto.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Chief Financial Officer
- b) Township Attorney
- c) Purchasing Division
- d) Recreation Department
- e) Dean Marusic, Ice Rink Manager
- f) All aforementioned instructors

CERTIFICATION

THIS IS TO CERTIFY that the funds for hiring additional three ice skating instructors for 2019, for the Winding River Ice Skating Center as follows:

- a) **Amanda Rittweger**
\$15.00/class
- b) **Kaitlin Raulerson**
\$15.00/class
- c) **Anthony Frattini**
\$15.00/class

The total maximum amount of all contracts shall not exceed \$7,000.00. Funds are available in Account No. 9-31- -147-534.

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

SHARON E. SMITH
CHIEF FINANCIAL OFFICER

Dated: September 10, 2019

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING A \$149,999.80 GRANT TO THE TOMS RIVER POLICE DEPARTMENT FROM THE NEW JERSEY OFFICE OF THE ATTORNEY GENERAL, TO CREATE A 24/7 OPIOID RESPONSE TEAM, FOR THE GRANT PERIOD COMMENCING OCTOBER 1, 2019 THROUGH JUNE 30, 2021

SEPTEMBER 10, 2019

WHEREAS, the State of New Jersey, Department of Law & Public Safety (“Department”), Office of the Attorney General (“OAG”) applied for and received funds from the Federal Bureau of Justice Assistance for the FFY17 Comprehensive Opioid Abuse Site-Based Program: Category4b – Opioid Response Team Project - Subaward Number: COAP4B-4-17; and

WHEREAS, a total of \$749,999.00 of the award from the Bureau of Justice Assistance will be awarded to five identified local police departments, for use by June 30, 2021; and

WHEREAS, the Toms River Police Department was one of the five police departments selected to receive a grant to create a 24/7 Opioid Response Team to address the increasing number of overdoses and Narcan deployments;

WHEREAS, the base funding allocation for each identified local police department is \$149,999.80; and

WHEREAS, the funding period is between October 1, 2019 to June 30, 2021; and

WHEREAS, the goal of the Opioid Response Team project is to provide local police departments with funding to provide crisis intervention at the local level for opioid-addicted individuals at multiple entry points involving law enforcement.

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 Toms River Police Department is hereby authorized to accept a grant for \$149,999.80 to create a 24/7 Opioid Response Team, pursuant to FFY17 Comprehensive Opioid Abuse Site-Based Program: Category 4b – Opioid Response Team Project - Subaward Number COAP4B-4-17.

2. The Mayor is authorized to execute and the Township Clerk to attest to any and all documentation in connection with this grant.

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

- a) Township Attorney
- b) Chief Financial Officer
- c) Police Department, Attn: Chief Mitchell Little
- d) Office of the Attorney General
NJ CARES
124 Halsey Street
Newark, NJ 07102

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the Township Council of the Township of Toms River, held on the 10th day of September, 2019, and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certification.

Dated: This 10th day of September, 2019.

SEAL

Signature of Certifying Officer

THOMAS F. KELAHER
Mayor

Name of Certifying Officer

Federal Award Identification No.
2017-AR-BX-K014

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE SEALED BIDS FOR RESURFACING OF THE MAIN POOL AND INSTALLATION OF LANE LINES AT SNUG HARBOR POOL

SEPTEMBER 10, 2019

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

**RESURFACING OF THE MAIN POOL AND INSTALLATION
OF LANE LINES AT SNUG HARBOR POOL**

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

1. The Purchasing Division is hereby authorized to prepare bid specifications for the above-mentioned items/projects.
2. The Purchasing Division is hereby authorized to advertise for the receipt of bids for the above-mentioned items/project. This will be contingent upon the availability of funds in the appropriate municipal budget.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Township Attorney
 - d) Township Engineer
 - e) Department of Recreation

**RESOLUTION IMPOSING CHARGES INCURRED UNDER SECTION 111 OF THE
2006 INTERNATIONAL PROPERTY MAINTENANCE CODE AS A LIEN ON REAL
PROPERTY, AND DIRECTING THE TAX COLLECTOR TO COLLECT THESE
COSTS, AND IMPOSE INTEREST ON UNPAID COSTS, IN THE SAME MANNER
AS PROVIDED FOR IN THE COLLECTION OF REAL ESTATE TAXES IN THE
TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY**

SEPTEMBER 10, 2019

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

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

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

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

- 1) The Township Council determines the Certification of Costs as set forth as Schedule "A" to be accurate.
- 2) The Tax Collector is authorized and directed to collect the costs listed on the Certification of Costs. The amount shown on the Certification of Costs shall be charged, become, and form part of the real estate taxes next to be assessed and levied upon such property, and shall bear interest at the same rate as real property taxes, and shall be collected and enforced in the same manner as provided for in the collection of real property taxes.
- 3) A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Thomas F. Kelaher
 - b) Business Administrator

- c) Chief Financial Officer
- d) Tax Collector
- e) Township Attorney
- f) Housing & Property Maintenance
- g) Code Enforcement
- h) Director, Parks, Buildings & Grounds
- i) Barlow, Robert and Anabelle
4 Sahara Court
Toms River, NJ 08753

SCHEDULE "A"

CERTIFICATION OF COSTS

	<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY ADDRESS</u>	<u>TOTAL</u>
1.	442.52	18	4 Sahara Court	\$373.52

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE
GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 1105.14, LOTS
2 AND 27 (3191 ROUTE 35 NORTH)**

September 10, 2019

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 1105.14, Lots 2 and 27.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #810001750 in the amount of \$4,500.00 which represents the ninety percent portion of the Stabilization Guarantee amount.
- 2) Check in the amount of \$500.00 which represents the ten percent portion of the Stabilization Guarantee amount.
- 3) Surety Bond #810002088 in the amount of \$10,000.00 which represents the required bond for the demolition of the existing building.
- 4) 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 Atlantic Property Development, 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. Atlantic Property Development, LLC
c/o Frank Ferrari
116 Village Blvd, Suite 200
Princeton, NJ 08540

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO SEND NOTICE TO HAVEN BEAT THE STREETS, INC. THAT THE CODE BLUE AGREEMENT WILL NOT BE RENEWED

SEPTEMBER 10, 2019

WHEREAS, on November 13, 2018, the Township Council approved a resolution authorizing the Mayor to execute an agreement with Haven Beat the Streets, Inc. to provide Code Blue managerial services; and

WHEREAS, the agreement was to be automatically renewed annually unless either party provides thirty days notice not to renew the agreement; and

WHEREAS, the Township desires not to renew this agreement:

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 send notice to Haven Beat the Streets, Inc. that the Blue Code Agreement will not be renewed.

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

- a) Mayor Thomas F. Kelaher
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Township Clerk

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 AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND JUST BELIEVE, INC., A NON-PROFIT CORPORATION, FOR CODE BLUE SERVICES CONTINGENT TO JUST BELIEVE, INC. FIRST SIGNING OF THE PROPOSED AGREEMENT

SEPTEMBER 10, 2019

WHEREAS, Just Believe, Inc. ("Believe") is a not-for-profit organization that provides as emergency warming center for at-risk individuals; and

WHEREAS, the purpose of Believe is to provide overnight lodging for up to thirty (30) beds for at-risk individuals during a Code Blue Alert, except during a State of Emergency when overnight lodging for at-risk individuals shall not exceed forty (40) beds for at-risk individuals; and

WHEREAS, Believe seeks to provide an emergency warming center for at-risk individuals for Code Blue Services at the Riverwood Recreation Building located on Whitesville Road and Riverwood Drive, Toms River, New Jersey; and

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

1. 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)

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.

Maryanne Wallace spoke regarding telephone poles on Barrier Island. Township Engineer Chankalian explained.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR
TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO MASTER LICENSE
AGREEMENTS FOR USE OF PUBLIC RIGHTS-OF-WAY IN CONNECTION WITH
WIRELESS COMMUNICATIONS FACILITIES**

SEPTEMBER 10, 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 Master License Agreements for Use of Public Rights-of-Way in connection with wireless communications facilities. This Master License Agreement is utilized under Section 348-9.32 (Wireless communications facilities in public rights-of-way) of Chapter 348 (Land Use and Development Regulations) of the Township's Code. The Mayor's execution of each agreement is subject to the review and approval by the Township Attorney.

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

- a) Mayor Thomas F. Kelaher
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Township Engineer
- g) Township Planner
- h) Crown Castle NG East LLC
c/o Crown Castle USA Inc.
2000 Corporate Drive
Canonsburg, PA 15317-8564
Attn: Ken Simon, General Counsel, Legal Department
- i) Crown Castle NG East, LLC
c/o Crown Castle USA Inc.
2000 Corporate Drive
Canonsburg, PA 15317-8564
Attn: SCN Contracts Management

REPORTS

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

	2019	2018
Bey Lea Golf Course – August	\$186,130.69	\$164,205.02
Bey Lea Golf Course – YTD through August	\$895,270.49	\$856,010.60
Winding River Ice Rink – August	\$42,788.00	\$30,868.98
Winding River Ice Rink – YTD through August	\$544,592.72	\$529,564.07
Building Permits - August	\$210,353.00	\$356,950.00
Building Permits – YTD through August	\$1,804,219.00	\$1,709,413.00
Beach Badges – YTD through August	\$533,403.00	\$438,563.00
Pool Badges – YTD through August	\$105,940.00	\$94,363.00

APPROVAL OF BILLS

Council President Wittmann asked for a report on the bills.

The Bill List, dated **September 6, 2019** was approved on motion by Council Member Turnbach, seconded by Council Member Kubiell, and carried with Council Members Hill, Huryk, Maruca, Rodrick, Turnbach, and Council President Wittmann voting yes. . The following respective exceptions to their votes were noted as abstentions to this vote:

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

Purchase Order 19-02203, payable to Ocean County Board of Health in the amount of \$64.00.

Purchase Order 19-04756, 19-04757, 19-04758, 19-04760 & 19-04766, payable to Owen Little & Association in the amount of 48,815.50.

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

Purchase Order 19-00619, payable to Borough of Lavallette in the amount of \$1,701.56.

Purchase Order 19-00248, payable to Remington, Vernick & Vena in the amount of \$20,070.40.

Purchase Order 19-04937, payable to Toms River Township Salaries (Recreation Department) in the amount of \$8,509.97.

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

Purchase Order 19-05121, payable to Board of fire Commissioners in the amount of \$6,745.00.

Purchase Order 19-00967, payable to Velcor of Toms River LLC (Dr. Cimer) in the amount of \$961.00.

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

Purchase Order 19-05097, payable to New Jersey Motor Vehicle Commission in the amount of \$120.00.

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

Purchase Order 19-04937, payable to Toms River Township Salaries-Magistrate Salaries in the amount of \$7,635.44.

Purchase Order 19-04574, payable to Bonnie Peterson in the amount of \$350.00.

ELECTED OFFICIALS COMMENTS

Mayor Kelaher spoke regarding "Toms River United Multicultural Event" big success; and the 9/11 Ceremony on Wednesday, September 11, 2019 at 8:30 a.m.

Councilman Turnbach thanked Haven beat the Streets for Code Blue and welcome "Just Believe." He also asking Council to consider passing a resolution for a Homelessness Trust Fund to provide dollars to Code Blue.

Councilwoman Maruca spoke regarding Huddy Park event; Code Blue and successful transition with "Just Believe."

Councilwoman Huryk spoke regarding Huddy Park event; October 5th Annual Fall Festival/Poker Run and Octoberfest every Saturday in October.

Councilman Kubiel had no comments.

Councilman Rodrick congratulated the Police Officers who retired and the newly Police Officers.

Councilman Hill thanked Councilwoman Huryk for work on Toms River United and he congratulated the Police Officers who retired. He also Saturday, September 14, 2019 Semper Fi Run at 8:30 a.m.

Councilman Wittmann spoke regarding Toms River United and Hope Shed Light.

PUBLIC COMMENTS

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

Pat Klaslo, Ortleigh Beach, asked if 9/11 or Veterans Day Parade be held after working hours.

Jerry Boyko spoke regarding handicapped parking concerns at Shop Rite and Community Surgical done incorrectly.

Julie Anameck spoke regarding situation on Cedar Grove Road in Toms River. Councilman Wittmann explained. Discussion ensued.

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

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried to enter into a private Executive Session at 7:27 PM.

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

RESOLUTION

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

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

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

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

Matters of Personnel
Matters of Litigation
Land Acquisitions
Contract Negotiations

3. The following specific topics were announced.
 1. Executive Session Minutes Review: August 27, 2019 Regular Meeting
 2. Personnel Issues:
 3. Review of status of all real property acquisitions (voluntary acquisitions and eminent domain actions)
 4. Review with Township Development Council of downtown projects
 5. Lipschitz/Hecht versus Toms River-update on the status of litigation
4. It is anticipated that deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

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

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

The Council **reconvened** the public portion at 8:18 P.M., a motion was made by Council Member Maruca, seconded by Council Member Huryk, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Turnbach, and Council President Wittmann voting yes.

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

**RESOLUTION APPROVING
EXECUTIVE SESSION MINUTES**

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

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

1. The following Executive Session Minutes are approved:

August 27, 2019 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 8:19 P. M., on motion with Council Member Kubiell, seconded by Council Member Huryk, and carried with Council Members Hill, Huryk, Kubiell, Maruca, Rodrick, Turnbach, and with Council President Wittmann voting yes.

COUNCIL PRESIDENT GEORGE WITTMANN

ALISON CARLISLE, TOWNSHIP CLERK