

January 28, 2020

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 Maruca and opened with the salute to the Flag.

Council President Maruca read the following statement 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 Wednesday, January 8, 2020, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Monday, January 6, 2020, 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 Friday, January 3, 2020. The meeting dates have also been posted on the Township web page.

Roll Call:

Council Member Huryk	- Present
Council Member Kopp	- Present
Council Member Lotano	- Absent
Council Member Rodrick	- Absent
Council Member Turnbach	- Present
Council Vice-President Geoghegan	- Present
Council President Maruca	- Present

A motion was made by Council Member Geoghegan, seconded by Council Member Turnbach, and Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, to approve an excused absence for Council Member Lotano, who is out of the country.

A motion was made by Council Member Turnbach, seconded by Council Member Kopp, and Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, to approve an excused absence for Council Member Rodrick.

APPROVAL OF MINUTES

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, to approve the **Regular Meeting of January 14, 2020**. 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 Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, to make the following honoring proclamations a part of the Minutes.

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

Lieutenant Scott Moeller

Sergeant Theodore Malony
Detective Travis Seaman
Officer Kevin Landmesser

Former Mayor Champagne of South Toms River, read parts of Martin Luther King's speeches and was presented a proclamation from the governing body of Toms River.

Township of Toms River

Proclamation

January 28, 2020

WHEREAS, Dr. Martin Luther King, Jr. devoted his life to the advancement of civil rights and public service. He believed in a nation of freedom and justice for all, and challenged all citizens to help build a more perfect union and live up to the purpose and potential of America; and,

WHEREAS, Dr. King recognized that everyone can be great because everyone can serve, and during his lifetime encouraged all Americans to serve their neighbors and their communities; and,

WHEREAS, In 1994, Congress initiated the King Day of Service, a nationwide effort to transform the federal holiday honoring Dr. Martin Luther King, Jr. into a day of community service, grounded in Dr. King's teachings, that helps solve social problems while focusing on bringing people together and breaking down the barriers that have divided us as a nation; and,

WHEREAS, Hundreds of thousands of volunteers in cities and towns across the nation participate in King Day service projects, in all 50 states, the District of Columbia, Guam, and Puerto Rico; and

NOW, THEREFORE, We, Mayor Maurice B. Hill, Jr. and Council President Maria Maruca of the Township of Toms River in the County of Ocean and State of New Jersey, with the full concurrence of the Township Council, urge our citizens to honor the memory of Dr. King, to put his teachings into action by participating in the King Day of Service, and to find ways to give back not just on January 20th but everyday

Mayor Maurice B. Hill, Jr.

**Maria Maruca
Council President**

Kevin Geoghegan

Laurie A. Huryk

Joshua Kopp

Matthew Lotano

Daniel T. Rodrick

Terrance L. Turnbach

Five minutes recess at 6:18p.m. Reconvene back in 6:26 p.m.

Destiny Reynolds, Township Deputy Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL, OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 68 (DIVISION OF COMMUNITY SERVICE), AND CHAPTER 50 (DEPARTMENT OF LAW ENFORCEMENT) OF THE TOWNSHIP CODE TO REASSIGN THE DIVISION OF COMMUNITY SERVICE TO THE DEPARTMENT OF LAW ENFORCEMENT

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 Maruca 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.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Geoghegan, Huryk Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, that the **Ordinance be tabled to the next Council Meeting on February 11, 2020.**

Destiny Reynolds, Township Deputy Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL, OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 46 (DEPARTMENT OF HEALTH, HUMAN SERVICES, AND HUMAN RESOURCES) AND CHAPTER 56 (DEPARTMENT OF RECREATION) OF THE TOWNSHIP CODE TO REASSIGN THE DIVISION OF YOUTH SERVICES TO THE DEPARTMENT OF RECREATION

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

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

1. That the foregoing ordinance, the title of which is quoted in the title hereof, be and the same is hereby passed on second and final reading.

2. That the title and purpose of said ordinance, together with the Notice of Final Passage thereof is published in the Asbury Park Press.

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

Council Member Huryk	Present
Council Member Kopp	Present
Council Member Lotano	Absent
Council Member Rodrick	Absent
Council Member Turnbach	Present
Council Vice-President Geoghegan	Present
Council President Maruca	Present

A motion was made by Council Member Huryk, 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 321 (GAMES OF CHANCE AND AMUSEMENT GAMES) OF THE TOWNSHIP CODE TO EXEMPT LOCAL VOLUNTEER FIRE AND FIRST AID SQUADS FROM LICENSE FEES FOR BINGOES AND RAFFLES

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 Maruca 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.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Geoghegan, Huryk Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, that the **Ordinance be tabled to the next Council Meeting on February 11, 2020.**

Destiny Reynolds, Township Deputy Clerk read the following Ordinance of which the title only was read in full:

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

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 147-1 (SALARY RANGES) OF CHAPTER 147 (SALARIES AND COMPENSATION) OF THE TOWNSHIP CODE TO ESTABLISH THE SALARY RANGES OF CONFIDENTIAL EMPLOYEES

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

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

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

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

Council Member Huryk	Present
Council Member Kopp	Present
Council Member Lotano	Absent
Council Member Rodrick	Absent
Council Member Turnbach	Present
Council Vice-President Geoghegan	Present
Council President Maruca	Present

CONSENT AGENDA

Council President Maruca announced the consideration of the Consent Agenda and noted if anyone had a desire to discuss an individual item it would be removed from the Consent Agenda.

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

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 WITH PROPERTYROOM.COM, FOR ONLINE AUCTION SERVICES TO CONDUCT AN ONLINE AUCTION FOR TANGIBLE PERSONAL PROPERTY FOUND OR RECOVERED BY THE POLICE DEPARTMENT

JANUARY 28, 2020

WHEREAS, pursuant to N.J.S.A. 40A:11-36, the Township of Toms River has tangible personal property found or recovered by the Police Department; and

WHEREAS, it is necessary to sell said items at public sale to the highest bidder; and

WHEREAS, the sale shall be conducted pursuant to Local Finance Notice 2008-9, utilizing the website host services of PropertyRoom.com, Inc. at www.propertyroom.com via an "on-line " auction process; and

WHEREAS, PropertyRoom.com is a full-service vendor who will perform the online auction services at a fee of 50% of the proceeds and/or additional fees as noted in the Agreement; 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. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement with PropertyRoom.com, a full-service vendor who will perform the online auction services at a fee of 50% of the proceeds and/or

additional fees as noted in the Agreement. A copy of the Agreement is attached to this resolution as Schedule "A", and made a part hereof.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Police Department
- h) State of New Jersey
Department of Community Affairs
Division of Local Government Services
Attn: Director
P.O. Box 803
Trenton, N.J. 08625-0803
- i) PropertyRoom.com, Inc.
26421 Crown Valley Parkway
Suite 200
Mission Viejo, CA 92691

Schedule "A"

"SEE ATTACHMENTS"

**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 WITH USGOVBID AUCTION
LIQUIDATION SERVICES, TO CONDUCT AN ONLINE AUCTION FOR SURPLUS ITEMS
NO LONGER NEEDED BY THE TOWNSHIP**

JANUARY 28, 2020

WHEREAS, the Township has items which are no longer needed for public use, and authorizes a sale pursuant to N.J.S.A. 40A:11-36 to the highest bidder; and

WHEREAS, the Local Unit Technology Program and Study Act (P.L. 2001, c.30), authorizes the use sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, the Township wishes to award a contract to USGovBid Auction Liquidation Services for a full-service auction; and

WHEREAS, the fees for this service will be 6.5% commission of the proceeds of this auction and a 2.5% Buyer's Internet Service Fee;

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

1. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement (Contract for Online Auction) with USGovBid Auction Liquidation Services, a full-service New Jersey State approved vendor, who will perform an online auction of surplus items no longer needed by the Township of Toms River, at a fee of 6.5% commission of the proceeds and a 2.5% Buyer's Internet Service Fee. A copy of the 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 Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) USGovBid Auction Liquidation Services
P.O. Box 1216
Eatontown, N.J. 07724
Attn: Stephan J. Miranti or Diane I. Enright
- h) State of New Jersey
Department of Community Affairs
Division of Local Government Services
Attn: Director
P.O. Box 803
Trenton, N.J. 08625-0803

Schedule “A”

“SEE ATTACHMENTS”

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST
EXTENSION OF THE EXISTING OPEN-ENDED CONTRACT WITH GRASS ROOTS
TURF PRODUCTS, INC., FOR GOLF SUPPLIES – PAR AIDE, STANDARD GOLF,
AND MILTONA CATALOGS FOR THE BEY LEA GOLF COURSE**

JANUARY 28, 2020

WHEREAS, resolution of the Township Council dated March 27, 2018, authorized the award of an open-ended contract to Grass Roots Turf Products, Inc., as sole bidder meeting all the specifications, for Golf Supplies – Par Aide, Standard Golf, and Miltona Catalogs for the Bey Lea Golf Course, effective retroactive to March 25, 2018 through March 24, 2020; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15 (45), which allows for the contract to be extended for up to one (1) additional two-year term or (2) additional one (1) year contract terms upon expiration of the original contract, contingent upon the approval of the governing body by resolution with the agreement of the Contractor; and

WHEREAS, it is in the best interest of the Township of Toms River to extend the current contract with Grass Roots Turf Products, Inc., for the first additional one (1) year term pursuant to the Local Public Contracts Law; 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:

- 2. It hereby authorizes the first extension of the existing open-ended contract with Grass Roots Turf Products, Inc., for Golf Supplies – Par Aide, Standard Golf, and Miltona Catalogs, effective March 25, 2020 through March 24, 2021.
- 3. The extended contract will be an open-ended contract with funds being encumbered each time a request for service 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 extension is subject to all the terms and conditions of the original contract award.

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) Recreation Dept.
 - e) Bey Lea Golf Course
 - f) Grass Roots Turf Products, Inc.
PO Box 336
Mt. Freedom, NJ 07970

CERTIFICATION

THIS IS TO CERTIFY that the funds for the first extension of the open-ended contract with Grass Roots Turf Products, Inc., are contingent upon the availability of funds in the appropriate municipal budget.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL EXTENSION OF THE EXISTING OPEN-ENDED, CONTRACT WITH TURF EQUIPMENT AND SUPPLY COMPANY, INC., FOR THE SUPPLY OF TORO (OEM) REPAIR PARTS AND ACCESSORIES

JANUARY 28, 2020

WHEREAS, resolution of the Township Council dated March 14, 2017, authorized the award of contract to Turf Equipment and Supply Company, Inc., as sole bidder meeting all the specifications, for the Supply of Toro (OEM) Repair Parts and Accessories, for a two (2) year term, effective March 7, 2017 through March 6, 2019 and

WHEREAS, resolution of the Township Council dated January 23, 2019, authorized the first extension of the open-ended, one (1) year contract with Turf Equipment and Supply Company, Inc., for the Supply of Toro (OEM) Repair Parts and Accessories, commencing March 7, 2019 through March 6, 2020, under the same terms and conditions as the original contract;

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15 (45), which allows for the contract to be extended for up to two (2) additional one (1) year terms upon expiration of the original contract; and

WHEREAS, the Bey Lea Golf Course has determined that it is in the best interest of the Township to extend the contract with Turf Equipment and Supply Company, Inc., pursuant to the Local Public Contracts Law, for the second and final one (1) year extension of the existing contract, commencing March 7, 2020 through March 6, 2021, at the following rates:

- 1) 5% discount off current equipment repair parts price list
- 2) 5% discount off current irrigation repair parts price list

- 3) 0% discount off current "After-Market" repair parts price list
- 4) 0% discount for payment within 30 days
- 5) 45 days availability of parts after receipt of 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. It hereby authorizes the second and final extension of the current contract with Turf Equipment and Supply Company, Inc., for the Supply of Toro (OEM) Repair Parts and Accessories, for a one (1) year term, commencing March 7, 2020 through March 6, 2021 under the same terms and conditions as the original contract, at the following rates:
 - 1) 5% discount off current equipment repair parts price list
 - 2) 5% discount off current irrigation repair parts price list
 - 3) 0% discount off current "After-Market" repair parts price list
 - 4) 0% discount for payment within 30 days
 - 5) 45 days availability of parts after receipt of order;
2. This will be an open-ended contract extension with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The extension of this contract is subject to all the terms and conditions of the original contract.
3. A certified copy of this resolution shall be provided by the Office of the T Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Township Attorney
 - d) Recreation Dept.
 - e) Bey Lea Golf Course
 - f) Turf Equipment and Supply Company, Inc.
8015 Dorsey Run Road
Jessup, Maryland 20794

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended, second and final one year extension of the contract with Turf Equipment and Supply Company, Inc., is 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.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CONTRACT WITH ROBERT H. HOOVER & SONS, INC., FOR THE PURCHASE OF ONE (1) 2020 FREIGHTLINER 114SD, SIX (6) YARD DUMP TRUCK WITH PLOW AND SPREADER, FOR THE DEPARTMENT OF PUBLIC WORKS, FROM THE OCEAN COUNTY COOPERATIVE PRICING SYSTEM, BID #B2019-69, IN THE AMOUNT NOT TO EXCEED \$155,558.60

JANUARY 28, 2020

WHEREAS, pursuant to bids received, a contract was awarded by the County of Ocean, as Lead Agency for the Ocean County Cooperative Pricing System, Bid #B2019-69, 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 Robert H. Hoover & Sons, Inc.;

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., for the Purchase of One (1) 2020, Freightliner 114SD, Six (6) Yard Dump Truck with Plow and Spreader, for the Department of Public Works, from the Ocean County Cooperative Pricing System, Bid #B2019-69, for a total maximum contract amount not to exceed \$155,558.60, as follows:

Robert H. Hoover & Sons, Inc.
149 Goldmine Road
Flanders, NJ 08736

Item #	Description	Price
1	2020 Freightliner 114SD Transmission: Allison 3500 RDS Warranty: 5 Years Engine, ATS, Transmission & Towing	\$154,821.00
1b	Larger Dump Body, as specified	\$ 237.60
1f	Two-Way Radio Wiring, as specified	\$ 500.00
	TOTAL:	\$155,558.60

1 Funds for this contract in the amount not to exceed \$155,558.60, are available in Account No. X-04- -248-001.

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 Public Works
- e) Robert H. Hoover & Sons, Inc.
149 Goldmine Road
Flanders, NJ 08736

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Robert H. Hoover & Sons, Inc., in the total contract amount not to exceed \$155,558.60, are available in Account No. X-04- -248-001.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CONTRACT TO VENDOR WITH NJ STATE CONTRACT, HERTRICH FLEET SERVICES INC., STATE CONTRACT NO. 19-FLEET-00953, FOR THE PURCHASE OF TWO (2) 2020 TOYOTA CAMRY L AUTO SEs, FOR THE DEPARTMENT OF POLICE, IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$44,100.00, UTILIZING FEDERAL ASSET FUNDS

JANUARY 28, 2020

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 with Hertrich Fleet Services, Inc., for the Purchase of Two (2) 2020 Toyota Camry L Auto SEs, for the Department of Police, using NJ State Contract No. 19-FLEET-00953, in the total maximum contract amount not to exceed \$44,100.00, utilizing Federal Asset Funds, as follows:

Hertrich Fleet Services Inc. 1427 Bay Rd. Milford, DE 19963	EACH	QTY.	TOTAL
19-FLEET-00953 2020 Toyota Camry L Auto SE 4 Dr. Sedan FWD	\$22,050.00	2	\$44,100.00

Exterior Color: 221 Galactic Aqua Mica (1)
1H1 Predawn Gray Mica (1)

3. Funds for these purchases are available in Account No. X-19- -600-056, Federal Asset Funds Account.

Contract with: Hertrich Fleet Services Inc.
1427 Bay Rd.
Milford, DE 19963

State Contract No. 19-FLEET-00953

Total Maximum Amount: \$44,100.00

Account No. X-19- -600-056
(FEDERAL ASSET FUNDS ACCOUNT)

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

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) Hertrich Fleet Services Inc.
1427 Bay Rd.
Milford, DE 19963

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract for vendor with State contract, Hertrich Fleet Services Inc., in the total maximum contract amount not to exceed \$44,100.00, are available in Account No. X-19- -600-056, Federal Asset Funds Account.

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.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN, TOWNSHIP ENGINEER, TO EXECUTE A STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF LAND USE REGULATION APPLICATION FORM FOR PERMIT(S)/AUTHORIZATION(S) FOR THE CONSTRUCTION OF A KAYAK LAUNCH AT HUDDY PARK PROJECT, BLOCK 668, LOT 1, AND PAY THE REQUIRED FEE OF \$3,000.00

JANUARY 28, 2020

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

1. Robert J. Chankalian, Township Engineer is hereby authorized to execute a State of New Jersey, Department of Environmental Protection, Division of Land Use Regulation Application Form for Permit(s)/ Authorization(s), for the Construction of a Kayak Launch at Huddy Park Project, Block 668, Lot 1, and pay the required fee of \$3,000.00. Funds in the amount of \$3,000.00, are available in Account No. X-04- -224-006. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Township Attorney
- b) Chief Financial Officer
- c) Township Engineer
- d) State of New Jersey

Department of Environmental Protection
Division of Land Use Regulation
PO Box 420
501 East State Street –Mail Code 501-02A
Trenton, NJ 08625-0420
e) T&M Associates
11 Tindall Road
Middletown, NJ 07748
Attn: Ericka Naklicki, PWS

CERTIFICATION

THIS IS TO CERTIFY that the required fee for the Department of Environmental Protection application/permit for the Construction of a Kayak Launch at Huddy Park Project, in the amount of \$3,000.00, are available in Account No. X-04- -224-006.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO REDUCE THE RETAINAGE HELD FROM TWO-PERCENT TO ONE-PERCENT, FOR THE 2019 TOWNSHIP WIDE PAVING PROGRAM (FY2017), RELEASING \$42,824.75 AND AUTHORIZING PAYMENT TO P&A CONSTRUCTION INC.

JANUARY 28, 2020

WHEREAS, resolution of the Township Council of the Township of Toms River dated May 14, 2019, authorized the award of a contract to P&A Construction Inc., as lowest bidder meeting all the bid specifications, for the 2019 Township Wide Paving Program (FY2017), for a total contract price not to exceed \$4,344,180.00; and

WHEREAS, at this time, work is shut down due to weather, however, the balance of work remaining is less than the amount of retainage held by 200%. By reducing the total retainage held to one-percent (1%), the Township will still hold more money than the balance of work remaining; approximately 120% will still be held;

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 reduce the total retainage held from two-percent (2%) to one-percent (1%) to P&A Construction Inc., for the 2019 Township Wide Paving Program (FY2017).
2. It hereby authorizes payment for retainage (1%) to P&A Construction Inc., in the amount not to exceed \$42,824.75, and funds are available in Account No. X-04- -239-001. 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) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Engineering Division
- e) P&A Construction Inc.
PO Box 28
Colonia, NJ 07067

CERTIFICATION

THIS IS TO CERTIFY that the funds for the return of the retainage to P&A Construction Inc., in the amount of \$42,824.75, one-percent (1%), are available in Account No. X-04- -239-001.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING A PROFESSIONAL SERVICE
CONTRACT TO CME ASSOCIATES, TO ASSIST THE TOWNSHIP ENGINEERING
DIVISION IN THE DESIGN OF PICKLEBALL COURT IMPROVEMENTS AT CHADWICK
BEACH PARK AND ORTLEY BEACH PROJECT, FOR A TOTAL MAXIMUM CONTRACT
AMOUNT NOT TO EXCEED \$40,300.00**

JANUARY 28, 2020

WHEREAS, the Township Council awarded contracts by way of resolution to various business entities for services provided in the 2019 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 May 14, 2019, authorized the firm of CME Associates 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, resolution of the Township Council dated January 3, 2020, authorized an extension of certain contracts to March 24, 2020, at the same rates approved in 2019; and

WHEREAS, the Township requires professional engineering services to assist the Township Engineering Division in the Design of Pickleball Court Improvements at Chadwick Beach Park and Ortlely Beach Project; and

WHEREAS, CME Associates, has submitted a Proposal dated January 17, 2020, for the Design of Pickleball Court Improvements at Chadwick Beach Park and Ortlely Beach Project, in the total contract amount not to exceed \$40,300.00; and

WHEREAS, the Township Engineer has reviewed the Proposal submitted by CME Associates, and has recommended award of contract to CME Associates 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 CME Associates, to perform all professional services to Assist the Township Engineering Division in the Design of Pickleball Court Improvements at Chadwick Beach Park and Ortlely Beach Project, for a total contract amount not to exceed \$40,300.00; in accordance with their Proposal dated January 17, 2020, Proposal No. 2020-14, 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,

for a total project amount not to exceed \$40,300.00.

All paperwork in connection with this project is on file in the Engineering Division. Term of Contract: Commencing January 29, 2020 through completion of the project.

2. Funds in the maximum amount not to exceed \$40,300.00, are available in Account No. X-04- -223-002. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
3. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement with the firm of CME Associates. A copy of the Agreement and Proposal dated January 17, 2020, shall be attached to this resolution as Schedule "A", and made a part hereof.
4. A notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.
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) Purchasing Division
 - c) Chief Financial Officer
 - d) Township Attorney
 - e) Township Engineer
 - f) CME Associates
1460 Route 9 South
Howell, NJ 07731

CERTIFICATION

THIS IS TO CERTIFY that the funds for the professional service contract with the firm of CME Associates, in the total maximum amount not to exceed \$40,300.00, are available in Account No. X-04- -223-002, 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
Expenses

120% of cost
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.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
CHANGE ORDER NO. 1 - FINAL (REDUCTION IN CONTRACT IN THE AMOUNT OF
\$10,820.00), RELEASING PERFORMANCE BOND, ACCEPTANCE OF MAINTENANCE
BOND, RELEASE RETAINAGE, AND AUTHORIZING FINAL PAYMENT TO
CONTRACTOR, R. KREMER & SON MARINE CONTRACTORS, LLC, IN THE AMOUNT
OF \$4,385.04, FOR THE CLOSEOUT OF THE BOXER STREET BULKHEAD
INSTALLATION PROJECT**

JANUARY 28, 2020

WHEREAS, resolution of the Township Council dated November 13, 2018, awarded a contract to R. Kremer & Son Marine Contractors, LLC, as low bidder meeting all the specifications, for the Boxer Street Bulkhead Installation Project, in the maximum amount not to exceed \$54,670.40; and

WHEREAS, the contractor retained for the Boxer Street Bulkhead Installation Project, has submitted the required documents in connection with the closeout of this project; and

WHEREAS, it is necessary to take certain action with respect to documents that are required to be completed before the project can be closed out and payment processed, as follows:

- a) Contractor's Application for Payment in the amount of \$4,385.04.
- b) Change Order No. 1 – Final - Executed by the contractor for a reduction in the contract amount of \$10,820.00.
- c) Original Maintenance Bond No. 47821 with R. Kremer & Son Marine Contractors, LLC., as Principal and The Service Insurance Company, Inc., as Surety.

WHEREAS, Change Order 1 – Final to the contract with R. Kremer & Son Marine Contractors, LLC., to wit:

DESCRIPTION OF CHANGE – CHANGE ORDER NO. 1 – FINAL REDUCTION:

Net reduction of \$10,820.00 for reduction in various contracting quantities.

TOTAL REDUCTION: (\$10,820.00).

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$10,820.00)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$10,820.00)
Previous Change Orders	X	X

Total Change Orders to Date:		(\$10,820.00)
Total Change in Contract		(\$10,820.00)
ORIGINAL CONTRACT BID PRICE:	\$54,670.40	
NEW CONTRACT PRICE:	\$43,850.40	

be and the same is hereby ratified and confirmed;

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 appropriate Township Officials of the Township of Toms River to take whatever action is necessary to process the aforesaid documentation, to close out the Boxer Street Bulkhead Installation Project, approval of Change Order No. 1 – Final, releasing Performance Bond, acceptance of Maintenance Bond, and authorizing final payment to contractor, in the amount of \$4,385.04. Funds in the amount of \$4,385.04 are available in Account No. X-04- -203-001. 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) Chief Financial Officer
 - b) Engineering Division
 - c) Township Attorney
 - d) Purchasing Division
 - e) R. Kremer & Son Marine Contractors, LLC
253 Drum Point
Brick, NJ 08723

CERTIFICATION

THIS IS TO CERTIFY that the funds for the final payment to R. Kremer & Son Marine Contractors, LLC, in the amount not to exceed \$4,385.04, are available in Account No. X-04- -203-001.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 2 - FINAL (REDUCTION IN CONTRACT IN THE AMOUNT OF \$31,431.62), RELEASING PERFORMANCE BOND, ACCEPTANCE OF MAINTENANCE BOND, RELEASING RETAINAGE, AND AUTHORIZING FINAL PAYMENT TO CONTRACTOR, EARLE ASPHALT COMPANY, IN THE AMOUNT OF \$69,962.71, FOR THE CLOSEOUT OF THE NORTH BEACHES RESURFACING AND STRIPING PROJECT

JANUARY 28, 2020

WHEREAS, resolution of the Township Council dated April 24, 2018, awarded a contract to Earle Asphalt Company, as lowest, responsible, responsive bidder meeting

all the specifications, for the North Beaches Resurfacing and Striping Project, in the maximum amount not to exceed \$2,964,113.00; and

WHEREAS, the contractor retained for the North Beaches Resurfacing and Striping Project, has submitted the required documents in connection with the closeout of this project; and

WHEREAS, it is necessary to take certain action with respect to documents that are required to be completed before the project can be closed out and payment processed, as follows:

- a) Contractor’s Application for Payment in the amount of \$69,962.71
- b) Change Order No. 2 – Final - Executed by the contractor for a reduction in the contract amount of \$31,431.62.
- c) Original Maintenance Bond No. 82457940M with Earle Asphalt Company as Principal and Federal Insurance Company, Inc., as Surety.

WHEREAS, Change Order 2 – Final to the contract with Earle Asphalt Company, to wit:

DESCRIPTION OF CHANGE – CHANGE ORDER NO. 2 – FINAL REDUCTION:

Net reduction of \$31,431.62 – adjustment to final as-built quantities for reduction in various contracting quantities.

TOTAL REDUCTION: (\$31,431.62).

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$31,431.62)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$31,431.62)
Previous Change Orders	\$500,000.00	X
Total Change Orders to Date:	\$500,000.00	(\$31,431.62)
Total Change in Contract		(\$31,431.62)
ORIGINAL CONTRACT BID PRICE:	\$2,964,113.00	
PREVIOUSLY AMENDED CONTRACT PRICE:	\$3,464,113.00	
NEW CONTRACT PRICE:	\$3,432,681.38	

be and the same is hereby ratified and confirmed;

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 appropriate Township Officials of the Township of Toms River to take whatever action is necessary to process the aforesaid documentation, to close out the North Beaches Resurfacing and Striping Project, approval of Change Order No. 2 – Final, releasing Performance Bond, acceptance of Maintenance Bond, release retainage, and authorizing final payment to contractor, Earle Asphalt Company, in the amount of \$69,962.71. Funds in the amount of \$69,962.71, are available in Account No. X-04- -217-011. 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) Chief Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) Earle Asphalt Company
PO Box 556
Farmingdale, NJ 07727

CERTIFICATION

THIS IS TO CERTIFY that the funds for the final payment to Earle Asphalt Company, in the amount not to exceed \$69,962.71, are available in Account No. X-04- -217-011.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

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

JANUARY 28, 2020

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) Woolson, Jason C. & Heather L.
2134 Nimitz Street
Toms River, NJ 08753
- j) V&S Precast Corp.
1033 North Maple Avenue
Toms River, NJ 08755
- k) Romillo, Jose E.
19 Bay Point Drive
Toms River, NJ 08753
- l) US Bank NA
8950 Cypress Waters Blvd.
Coppell, TX 75019
- m) Silver Ridge LLC
569 Lakehurst Road
Toms River, NJ 08755
- n) Bank of Mellon Trustee
101 Barclay Street, 7E
New York, NY 10286

SCHEDULE "A"

CERTIFICATION OF COSTS

	<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY ADDRESS</u>	<u>TOTAL</u>
1.	171.07	7	50 Bunker Hill Drive	\$2228.84
2.	392.04	116.06	1723 Cathedral Court	\$1515.45
3.	724.28	13	755 Francis Drive	\$793.79
4.	1083.01	11	2134 Nimitz Street	\$565.29
5.	297.02	73	19 Bay Point Drive	\$913.44
6.	507.44	5	569 Lakehurst Road	\$463.33

***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, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A SHARED SERVICES AGREEMENT (INTERLOCAL SERVICES AGREEMENT) BETWEEN THE TOWNSHIP OF TOMS RIVER AND OCEAN COUNTY BOARD OF HEALTH FOR ANIMAL FACILITY SERVICES

JANUARY 28, 2020

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Services Agreement (Interlocal Services Agreement) between the Township of Toms River and the Ocean County Board of Health, for Animal Facility Services, for a period of five (5) years, commencing retroactive to January 1, 2020 and terminating on December 31, 2024. A copy of the Shared Services Agreement is attached to this resolution as Schedule "A", and is made a part hereof.

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) Business Administrator
- c) Chief Financial Officer
- d) Animal Shelter
- e) Joann Benson, Director, Human Services
- f) Police Department
- g) Ocean County Health Department
PO Box 2191
Toms River, NJ 08754-2191
Attn: Brian E. Rumpf, Esq.
Director of Administration and Program Development

SCHEDULE "A"

"SEE ATTACHMENTS"

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AWARDING A CONTRACT FOR PROFESSIONAL SERVICES TO JERSEY SHORE VETERINARY EMERGENCY SERVICE, FOR EMERGENCY VETERINARIAN SERVICES FOR THE TOWNSHIP OF TOMS RIVER, IN AN AMOUNT NOT TO EXCEED \$6,000.00, FOR THE CALENDAR YEAR 2020

JANUARY 28, 2020

WHEREAS, the Township of Toms River has a need to acquire emergency veterinarian services commencing retroactive to January 1, 2020 up to and including December 31, 2020; and

WHEREAS, the cost for these services shall be below the monetary threshold of \$17,500.00, as set forth in N.J.S.A. 19:44A-20.4 et. seq., and not subject to pay-to-play regulations; and

WHEREAS, Jersey Shore Veterinary Emergency Service, 1000 State Highway 70, Lakewood, New Jersey 08701, has provided the Township with competent and professional services for the past several years;

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

1. It hereby awards a contract to Jersey Shore Veterinary Emergency Service, for emergency veterinarian services for the Township of Toms River, in an amount not to exceed \$6,000.00 for CY20, and funds are available in Account No. 0-13- -911-011 - \$5,000.00, and Account No. 0-01- -P45-534 - \$1,000.00, contingent upon execution of a contract, availability of funds, and adoption of the CY20 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to an agreement with Jersey Shore Veterinary Emergency Service, for emergency veterinarian services for a total maximum amount not to exceed \$6,000.00 for CY20. Term of contract: commencing retroactive to January 1, 2020 up to and including December 31, 2020.

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 Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Police Department
- g) Purchasing Division
- h) Human Services, Attn: Joann Benson
- i) Animal Facility
- j) Jersey Shore Veterinary Emergency Service
1000 State Highway 70
Lakewood, NJ 08701

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Jersey Shore Veterinary Emergency Service, in the amount not to exceed \$6,000.00 for CY20, are available in Account No. 0-13- -911-011 - \$5,000.00, and Account No. 0-01- -P45-534 - \$1,000.00, contingent upon execution of a contract, availability of funds, and adoption of the CY20 budget.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CRAIG AMBROSIO, DIRECTOR OF PARKS, BUILDINGS AND GROUNDS, TO EXECUTE A COOPERATIVE SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS), WILDLIFE SERVICES (WS), FOR WILDLIFE DAMAGE MANAGEMENT, IN AN AMOUNT NOT TO EXCEED \$11,745.00

JANUARY 28, 2020

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. Craig Ambrosio, Director of Parks, Buildings and Grounds is authorized to execute a Cooperative Service Agreement between the Township of Toms River and the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS), for wildlife damage management, in connection with Canada geese control at Huddy Park, Shelter Cove, and other properties owned by the Township of Toms River (new area adjacent to Huddy Park – old motel). A copy of the Agreement is attached to this resolution as Schedule “A”, and made a part hereof.

2. Funds for this service in the amount not to exceed \$11,745.00, are available in Account No. 0-01- -R20-534, contingent upon availability of funds and adoption of the CY20 Municipal Budget.

3. Term of Agreement shall become effective February 1, 2020 and shall expire on September 30, 2020.

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

- a) Township Attorney
- b) Business Administrator
- c) Township Council
- d) Department of Public Works
- e) Director, Parks, Buildings & Grounds
- f) Chief Financial Officer
- g) Department of Recreation
- h) U.S. Department of Agriculture Animal and Plant Health Inspection Service
Wildlife Services
Aaron Guikema, State Director
140-C Locust Grove Road
Pittstown, NJ 08867-4049
- i) Nicole Rein, Wildlife Biologist
USDA-APHIS –Wildlife Services
Atlantic City Airport, Suite 106
Egg Harbor Twp., NJ 08234

SCHEDULE “A”

”SEE ATTACHMENTS”

CERTIFICATION

THIS IS TO CERTIFY that the funds for the Cooperative Service Agreement with the United States Department of Agriculture Animal and Plant Health Inspection Service, Wildlife Services, in the amount not to exceed \$11,745.00, are available in Account No. 0-01- -R20-534, contingent upon availability of funds and adoption of the CY20 Municipal Budget.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: January 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE COUNTY OF OCEAN, OFFICE OF THE OCEAN COUNTY PROSECUTOR, FOR THE MOVE OVER LAW ENFORCEMENT PROGRAM (M.O.L.E.P.), FOR THE TERM COMMENCING RETROACTIVE TO OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020

JANUARY 28, 2020

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Service Agreement between the Township of Toms River and the County of Ocean, Office of the Ocean County Prosecutor for the Move Over Law Enforcement Program (M.O.L.E.P.), for the term commencing retroactive to October 1, 2019 through September 30, 2020. This is a traffic safety program run by the Ocean County Prosecutor's Office, for the purpose of identifying, educating and removing reckless drivers from the roadways. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) Police Department, Attn: Chief Mitchell Little
- g) Ocean County Board of Freeholders
P.O. Box 2191
Toms River, N.J. 08754-2191
- h) Ocean County Prosecutor's Office
Attn: Robert Parlow
Vehicular Homicide Unit
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Division of Local Government Services
PO Box 803
Trenton, NJ 08625-0803

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE COUNTY OF OCEAN, OFFICE OF THE OCEAN COUNTY PROSECUTOR, FOR THE DRUG RECOGNITION EXPERT CALLOUT PROGRAM (D.R.E.C.P.) FOR THE TERM COMMENCING RETROACTIVE TO OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020

JANUARY 28, 2020

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Service Agreement between the Township of Toms River and the County of Ocean, Office of the Ocean County Prosecutor, for the Drug Recognition Expert Callout Program (D.R.E.C.P.), for the term commencing retroactive to October 1, 2019 through September 30, 2020. This is a traffic safety program run by the Ocean County Prosecutor's Office for the purpose of utilizing a Drug Recognition Expert Callout Program to assist with identifying and removing intoxicated drivers from the roadways. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator

- d) Chief Financial Officer
- e) Township Attorney
- f) Police Department, Attn: Chief Mitchell Little
- g) Ocean County Board of Freeholders
P.O. Box 2191
Toms River, N.J. 08754-2191
- h) Ocean County Prosecutor's Office
Robert Parlow
Vehicular Homicide Unit
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Division of Local Government Services
PO Box 803
Trenton, NJ 08625-0803

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE COUNTY OF OCEAN, OFFICE OF THE OCEAN COUNTY PROSECUTOR, FOR THE DRIVING WHILE INTOXICATED ENFORCEMENT PROGRAM (D.W.I.E.P) FOR THE TERM COMMENCING RETROACTIVE TO OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020

JANUARY 28, 2020

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Service Agreement between the Township of Toms River and the Office of the Ocean County Prosecutor for the Driving While Intoxicated Enforcement Program (D.W.I.E.P.), for the term commencing retroactive to October 1, 2019 through September 30, 2020. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) Police Department, Attn: Chief Mitchell Little
- g) Ocean County Board of Freeholders
P.O. Box 2191
Toms River, N.J. 08754-2191
- h) Ocean County Prosecutor's Office
Attn: Robert Parlow
Vehicular Homicide Unit
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Division of Local Government Services
PO Box 803
Trenton, NJ 08625-0803

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE TOWNSHIP OF TOMS RIVER, AND THE COUNTY OF OCEAN, OFFICE
OF THE OCEAN COUNTY PROSECUTOR FOR POLICE SERVICES – OCEAN
COUNTY NARCOTICS STRIKE FORCE), COMMENCING RETROACTIVE
TO JANUARY 1, 2020 THROUGH DECEMBER 31, 2020**

JANUARY 28, 2020

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the County of Ocean, Office of the Ocean County Prosecutor for Police Services – Ocean County Narcotics Strike Force. Term of Agreement: commencing retroactive to January 1, 2020 through December 31, 2020. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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) Police Department, Attn: Chief Mitchell Little
- c) Chief Financial Officer
- d) Mayor Maurice B. Hill, Jr.
- e) Township Council
- f) Business Administrator
- g) Purchasing Division
- h) Ocean County Board of Freeholders
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Ocean County Prosecutor's Office
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191
- j) Division of Local Government Services

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

JANUARY 28, 2020

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, February 5, 2020 at 12 noon at Freedom Towing:

Vehicles for Auction with Titles:

Request to hold abandoned vehicle auctions on February 6, 2019 at the following locations and times:

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

YEAR	MAKE	VIN#
2006	PONTIAC	2G2WP552661112767
2002	TOYOTA	4T1BE32K42U580788
2001	TOYOTA	2T1BR32EX1C414696
2004	HONDA	1HGCM56744A143411

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) Safety Officer Schwartz
- d) Chief Financial Officer
- e) 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, February 5, 2020 at 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:

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

YEAR	MAKE	VIN#
2006	PONTIAC	2G2WP552661112767
2002	TOYOTA	4T1BE32K42U580788
2001	TOYOTA	2T1BR32EX1C414696
2004	HONDA	1HGCM56744A143411

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A PRELIMINARY AND FINAL MAJOR SITE PLAN KNOWN AS CVS TOMS RIVER, LLC, BLOCK 506.02, LOT 28.02. (51/55 BANAIER DRIVE)

January 28, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as CVS, Block 506.02, Lot 28.02.

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 Surety Bond # 012023922 in the amount of \$112,500.00, is hereby released;

- 2) Cash Bond in the amount of \$12,500.00 on deposit in account # 0-14-902-101, 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. CVS Corporation
Attn: Kim Shardlow – MC2313
200 Highland Corporate Drive
Cumberland, RI 02864

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 172, LOT 11.02 (1901 LAKEWOOD ROAD)

January 28, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 172, Lot 11.02.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Cash Bond in the amount \$16,180.00, which represents the 10% Maintenance Guarantee, currently on account # 0-14- -902-101 and accepted by Resolution “Z” on June 21, 2016, is accepted and will remain on account to represent the Maintenance Cash Bond;

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

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

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

- 1) Previously posted Cash Bond in the amount of \$32,360.00 currently on account #0-14- 902-101 and accepted by Resolution “Z” on June 21, 2016, is hereby released with applicable interest, if any;
- 2) Maintenance Cash Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Mr. Robert M. Lapid
Toms River Medical Offices, LLC
1901 Lakewood Road, Suite 200
Toms River, NJ 08755

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR MAJOR SITE PLAN KNOWN AS BENN ASSOCIATES, BLOCK 814, LOTS 3, 20 AND 29 (1951 ROUTE 37 WEST)

January 28, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan entitled Benn Associates, Block 504, Lot 1 (1951 Route 37 West) that all improvements presently under a maintenance bond have been maintained in accordance with Township standards.

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

1. Maintenance Surety Bond in the amount of \$28,200.00, originally accepted by Resolution "O" on July 25, 2017, and currently being held in account #0-14- -902-101, is hereby released.

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

- a. Engineer
- b. Finance Department
- c. Township Attorney
- d. Robert J. Bennett
Benn Associates, LLC
500 Boardwalk
Seaside Heights, N.J. 08751

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS JERSEY STATE DEVELOPMENT GROUP, LLC, BLOCK 1092, LOTS 8 AND 9 (169 ROUTE 37 EAST)

January 28, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Jersey State Development Group, LLC, Block 165, Lot 9.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #41421717 in the amount of \$14,720.00 which represents the ninety percent portion of the Performance Guarantee amount and the Safety and Stabilization Bond.
- 2) Check in the amount of \$1,080.00 which represents the ten percent portion of the Performance Guarantee amount.
- 3) Check in the amount of \$3,579.10 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 Jersey State Development Group, 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. Mr. Joseph M. D'Albero
Jersey State Development Group, LLC.
1 Charlotte Drive
Clark, NJ 07066

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 JURISDICTIONAL AGREEMENT #4819 WITH THE STATE OF NEW JERSEY

JANUARY 28, 2020

WHEREAS, the State of New Jersey Department of Transportation has requested that an agreement be entered between the Township of Toms River and the State of New Jersey, which would allocate the jurisdictional responsibilities for highway maintenance and control along Route 35 within the Township of Toms River; and

WHEREAS, maps outlining the jurisdictional limits of each have been reviewed and approved by the Township of Toms River.

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

1. Mayor, Maurice B. Hill, Jr., and the Township Clerk, Alison Carlisle, are hereby authorized to enter into and execute an agreement between the Township of Toms River and the State of New Jersey.

2. A copy of the fully executed agreement shall remain on file in the Office of Township Clerk.

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

- a) Mayor Maurice B. Hill, Jr.
- 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: Snehal Patel, P.E., PMP
Assistant Commissioner
Capital Program Management
- h) AmerCom Corp.
Joanna Guarda, P.E.
Project Engineer
1259 Route 46 East, Building #2
Parsippany, NJ 07054

ATTEST:

Alison Carlisle, Clerk
Township of Toms River

Maurice B. Hill, Jr., Mayor
Township of Toms River

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 JURISDICTIONAL AGREEMENT #4814 WITH THE STATE OF NEW JERSEY

JANUARY 28, 2020

WHEREAS, the State of New Jersey Department of Transportation has requested that an agreement be entered between the Township of Toms River and the State of New Jersey, which would allocate the jurisdictional responsibilities for highway maintenance and control between the Township of Toms River and the State of New Jersey, along Route 35 within the Township of Toms River; and

WHEREAS, maps outlining the jurisdictional limits of each have been reviewed and approved by the Township of Toms River.

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

1. Mayor, Maurice B. Hill, Jr., and the Township Clerk, Alison Carlisle, are hereby authorized to enter into and execute an agreement between the Township of Toms River and the State of New Jersey.

2. A copy of the fully executed agreement shall remain on file in the Office of Township Clerk.

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

- a) Mayor Maurice B. Hill, Jr.
- 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: Snehal Patel, P.E., PMP
Assistant Commissioner
Capital Program Management
- h) AmerCom Corp.
Joanna Guarda, P.E.
Project Engineer
1259 Route 46 East, Building #2
Parsippany, NJ 07054

ATTEST:

Alison Carlisle, Clerk
Township of Toms River

Maurice B. Hill, Jr., Mayor
Township of Toms River

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE EXECUTION OF A SCHEDULE "C" AGREEMENT WITH THE COUNTY OF OCEAN FOR 2020 FOR THE PROVISION OF SERVICES, MATERIALS, AND EQUIPMENT (ROAD DEPARTMENT SERVICES - \$49,000.00, VEHICLE SERVICES - \$21,000.00)

JANUARY 28, 2020

WHEREAS, the Uniform Shared Services and Consolidations Act, N.J.S.A. 40A:65-1 et. seq., authorizes the Township of Toms River to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40A:65-5, requires such a contract to be authorized by resolution; and

WHEREAS, it is the desire of the governing body to authorize the execution of a contract with the County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto;

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. Maurice B. Hill, Jr., Mayor of the Township of Toms River, is hereby authorized to execute and Alison Carlisle, Township Clerk, to attest to a Schedule "C" agreement with the County of Ocean in accordance with the provisions of the law to include \$49,000.00 for Road Department Services, \$21,000.00 for Vehicle Services, for a total maximum amount not to exceed \$70,000.00, and funds are available in Account No. 0-01- -L25-547, contingent upon availability of funds and the adoption of the CY20 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. A copy of the said agreement is attached hereto and made part hereof.

2. This agreement is for the period retroactive to January 1, 2020 through December 31, 2020.

3. A copy of this agreement referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's office during normal business hours.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Public Works Department
- f) Purchasing Division
- g) Ocean County Road Department
129 Hooper Avenue
PO Box 2191
Toms River, NJ 08754-2191
Attn: Scott J. Waters
County Road Supervisor

CERTIFICATION

I, Alison Carlisle, Municipal Clerk of the Township of Toms River, do hereby certify that the foregoing resolution was duly adopted by the Township Council of the Township of Toms River, Ocean County, New Jersey at the regular meeting of January 28, 2020.

ALISON CARLISLE
MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING A LICENSE AGREEMENT
BETWEEN THE TOWNSHIP AND WHITESVILLE COMMUNITY GROUP FOR
THE USE OF TOWNSHIP AIRSPACE OVER BUNKER HILL DRIVE**

JANUARY 28, 2020

WHEREAS, the Whitesville Community Group (“WCG”) is a New Jersey non-profit corporation formed by certain individuals for the purposes of installing and maintaining an eruv at a location across and above an unpaved, unimproved segment of Bunker Hill Drive; and

WHEREAS, in 2019, WCG approached the Township with a proposal to install an eruv attached to poles located on two private properties situated on opposite sides of, and crossing over, an unpaved, unimproved segment of Bunker Hill Drive, a Township-owned street; and

WHEREAS, the owners of the two private properties involved consented in writing to the installation of the eruv; and

WHEREAS, WCG requested the Township’s permission to use the airspace above Bunker Hill Drive to install the eruv; and

WHEREAS, after a series of discussions with Township officials, WCG presented a plan for, and agreed to certain conditions governing, the installation and maintenance of the proposed eruv that are acceptable to the Township, and have been certified by licensed engineers; and

WHEREAS, the parties have entered negotiated a license agreement, attached as Scheduled A hereto, to establish the terms and conditions of this arrangement:

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

1. The license agreement between the Township and the Whitesville Community Group, attached hereto as Schedule “A” is hereby approved. The Mayor is authorized to execute and the Township Clerk to attest to that agreement.

2. A certified copy of the fully-executed agreement and this resolution shall remain on file in the Office of the Township Clerk.

3. A certified copy of the fully-executed agreement and this resolution shall be provided to the following parties:

- a. Mayor
- b. Business Administrator
- c. Township Engineer
- d. Whitesville Community Group
c/o Yosef Brenner
100 Liberty Bell Road
Toms River, NJ 08753

SCHEDULE “A”

“see attachments”

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, DIRECTING THE TOWNSHIP PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION AND PROVIDE RECOMMENDATIONS AS TO WHETHER BLOCK 608, LOT 19.01 SATISFIES CRITERIA TO BE DESIGNATED AS AN AREA IN NEED OF REDEVELOPMENT WITHOUT THE USE OF CONDEMNATION

JANUARY 28, 2020

WHEREAS, the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.* (the “*LRHL*”) authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment, with or without the potential use of condemnation; and

WHEREAS, the Township Council previously designated the Hooper-Caudina Redevelopment Area, consisting of over 200 undersized lots and numerous paper streets, as an Area In Need of Redevelopment with Condemnation in 2018; and

WHEREAS, the County Of Ocean has acquired Block 608, Lot 19.01 from the owners of the Dover Esplanade Office Park for purposes of redeveloping a new County Social Services office complex; and

WHEREAS, in accordance with the *LRHL* the Mayor and Township Council of the Township of Toms River (the “**Township Council**”) believes that Block 608, Lot 19.01 should be investigated to determine if it meets one or more of the criteria to be designated as an area in need of redevelopment without the potential use of condemnation and whether the Hooper-Caudina Redevelopment Area should be expanded to add Block 608, Lot 19.01, but without the potential use of condemnation with respect to Lot 19.01; and

WHEREAS, *N.J.S.A. 40:12A-6* requires that the governing body direct the planning board to conduct a preliminary investigation and render a finding as to whether Block 608, Lot 19.01 meets one or more of the criteria of *N.J.S.A. 40:12A-5* and a recommendation to the Township Council as to a designation of an area in need of redevelopment without the potential use of condemnation; 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. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby authorizes and directs the Planning Board to conduct a preliminary investigation and render a finding as to whether Block 608, Lot 19.01 meets one or more of the criteria of *N.J.S.A. 40:12A-5* and provide its recommendations to the Township Council.
3. A copy of this resolution shall be available for public inspection at the Office of the Township Clerk.
4. This Resolution shall take effect immediately.
5. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B. Hill, Jr.
 - b) Township Council
 - c) Business Administrator
 - d) Township Attorney
 - e) Chief Financial Officer
 - f) Township Planner
 - g) Engineering Division
 - h) Planning Board

Offered By:

Seconded By:

Council members: AYES NAYS ABSTAIN ABSENT

I, Alison Carlisle, Township Clerk of the Township of Toms River, Ocean County, New Jersey, do hereby certify the foregoing to be a true and exact copy of the resolution that was adopted by the Township Council at a meeting held on the 28th day of January, 2020.

Alison Carlisle
Municipal Clerk

A motion was made by Council Member Turnbach, seconded by Council Member Geoghegan, and carried with Council Members Geoghegan, Huryk, Turnbach, and with Council President Maruca voting yes, and Council Member Kopp abstaining and with Council Members Lotano and Rodrick absent, to approve the following Resolution.

RESOLUTION

JANUARY 28, 2019

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

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>	
JACOBUS & ASSOCIATES, LLC.	694	2.02	2016/4	\$ 5,202.90
ATTN: JENNIFER R. JACOBUS			2017/4	6,509.53
			2018/4	6,565.31
			2019/4	7,847.55
TOTAL:				\$26,125.29

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

JANUARY 28, 2019

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

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
CICERO, NICHOLAS SR. & JUDITH	232.23	24	2019/4	\$ 138.77
A.				
MYERS, GRAN & MEGAN	617	6	2019/4	775.15
TOTAL:				\$913.92

- 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

JANUARY 28, 2019

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY FOR THE YEAR (S) INDICATED, DUE TO PROPERTY HAD A DUPLICATE 4TH OTR PAYMENT APPLIED ON THE ACCOUNT;

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>
GRATZEL, NANCY	1694.03	20	2019/4	\$ 1,265.22

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

Approved as to content:

REPORTS

NONE

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **January 28, 2020** was approved on motion by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent.. The following respective exceptions to their votes were noted as abstentions to this vote:

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 20-00042, payable to Remington & Vernick Engineers in the amount of \$2,563.50.

Purchase Order 20-00149, payable to Recreation Salaries in the amount of \$8,547.96.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 20-00163, 20-00164, 20-00165, 20-00166, 20-00168, 20-00170 & 20-00171, payable to Owen, Little & Associates, Inc. in the amount of \$10,44.50.

Purchase Order 19-06811, payable to Peter & Amy Mangin in the amount of \$6,555.11.

Councilwoman Maruca abstained due to Business conflicts on the following:

Purchase Order 20-00126, payable to N.J. Motor Vehicle Commission in the amount of \$150.00.

Purchase Order 20-00149, payable to N.J. MVC L.E.A.S.E. in the amount of \$4,441.00.

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 20-00149, payable to Magistrate Salaries in the amount of \$7,499.70.

Purchase Order 20-00141, payable to Citta, Holzapfel, Zabarsky in the amount of \$175.00

NOTE: Silverton first Aid Squad and Gregory McGuckin, Esquire, did not pass

ELECTED OFFICIALS COMMENTS

Mayor Hill congratulated the Police Officers for their promotions.

Councilman Kopp thanked Mayor Hill for "Meet the Mayor Meeting" and congratulated the Police Officers for their promotions.

Councilwoman Huryk congratulated the Police Officers for their promotions, and gave thanks to Mayor Champagne, NAACP and Corrine Lewis for Doctor Martin Luther King presentation.

Councilman Geoghegan congratulated the Police Officers for their promotions.

Councilman Turnbach congratulated the Police Officers; thanked Mayor Champagne, NAACP, and Corrine Lewis for Doctor Martin Luther King presentation, and gave congratulation to Uncle Doods who were named again "best donuts" in New Jersey. He also thanked Council and Governor Murphy for Code Blue Law passage.

Councilwoman Maruca thanked Mayor Champagne, NAACP, and Corrine Lewis for Doctor Martin Luther King presentation; congratulation to the Police Officers for their promotions, and announced dodgeball tournament to support the Toms River Police Department, and Code Blue looking for volunteers and supplies.

PUBLIC COMMENTS

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

Michelle Williams thanked Mayor Hill for meeting with school board to brain storm on solutions to the budget issue.

Marian Walise, Ortley Beach Taxpayers Association, Resolution for pickleball is appreciated but has concerns about parking for new courts, and thanked for the Dr. Martin Luther King speech.

No further comments from the public appearing, a motion was made by Council Member Huryk, seconded by Council Member Turnbach and carried to enter into a private Executive Session at 7:19 p.m.

A motion was made by Council Member Huryk, 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
 Attorney Client Privilege
 Land Acquisitions
 Contract Negotiations

3. The following specific topics were announced.
 1. Executive Session Minutes: January 14, 2020 Regular Meeting
 2. Personnel Issues
 3. Review of status of all real property acquisitions. (voluntary acquisitions and eminent domain actions)
 4. 1940 Rt 9 LLC v Toms River (Guttman Litigation), discovery issues and status of eminent domain proceedings
 5. Toms River Municipal Utilities Authority – discussion of 2012 study/report of former Business Administrator Paul J. Shives and related issues

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 Kopp	- Present
Council Member Lotano	- Absent
Council Member Rodrick	- Absent
Council Member Turnbach	- Present
Council Vice-President Geoghegan	- Present
Council President Maruca	- Present

The Council **reconvened** the public portion at 8:10 P.M., a motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council Present Maruca voting yes, and with Council Members Lotano and Rodrick absent.

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

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 147-1 (SALARY RANGES) OF CHAPTER 147 (SALARIES AND COMPENSATION), SCHEDULE H, SALARY RANGES OF CONFIDENTIAL EMPLOYEES OF THE TOWNSHIP CODE TO ELIMINATE THE POSITIONS AND SALARY RANGES OF COUNCIL SECRETARY AND RECORDS MANAGER, AND ESTABLISH THE POSITION AND SALARY RANGE OF RECORDS MANAGER/COUNCIL LIAISON

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

1. Schedule “H” (Confidential Employees) of Subsection 147-1 (Salary Ranges) of Chapter 147 (Salaries and Compensation) of the Code of the Township of Toms River, Ocean County, New Jersey, is amended and supplemented to eliminate the positions and salary ranges of Council Secretary and Records Manager.

2. Schedule “H” (Confidential Employees) of Subsection 147-1 (Salary Ranges) of Chapter 147 (Salaries and Compensation) of the Code of the Township of Toms River, Ocean County, New Jersey, is amended and supplemented to establish the following position and salary range:

Records Manager/Council Liaison - \$65,000.00 to \$71,000.00

3. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 147 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

4. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

5. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as Required by law.

6. This Ordinance is not legislative in nature, and it does not need to be Codified in the Code of the Township of Toms River, Ocean County, New Jersey.

CONFIDENTIAL EMPLOYEES

LONGEVITY SCHEDULE:

EACH EMPLOYEE HIRED BEFORE NOVEMBER 29, 1990 SHALL BE PAID, IN ADDITION TO BASE PAY, A LONGEVITY INCREMENT BASED UPON YEARS OF SERVICE IN THE EMPLOY OF THE TOWNSHIP AS FOLLOWS:

<u>Years of Service</u>	<u>Increment of Base Pay</u>
Upon completion of 3	2%
Upon completion of 5	4%
Upon completion of 9	6%
Upon completion of 12	8%
Upon completion of 15	10%

EACH EMPLOYEE HIRED AFTER NOVEMBER 29, 1990 SHALL BE PAID, IN ADDITION TO BASE PAY, A LONGEVITY INCREMENT BASED UPON YEARS OF SERVICE IN THE EMPLOY OF THE TOWNSHIP AS FOLLOWS:

<u>Years of Service</u>	<u>Increment of Base Pay</u>
Upon completion of 5	2%
Upon completion of 9	4%
Upon completion of 12	6%
Upon completion of 15	8%

EACH EMPLOYEE HIRED AFTER JANUARY 1, 1998 SHALL BE PAID, IN ADDITION TO BASE PAY, A LONGEVITY INCREMENT BASED UPON YEARS OF SERVICE IN THE EMPLOY OF THE TOWNSHIP AS FOLLOWS:

<u>Years of Service</u>	<u>Increment of Base Pay</u>
Upon completion of 9	4%L-Jan 28, 2020-39
Upon completion of 12	6%
Upon completion of 15	8%

No Longevity Benefit for Employees hired AFTER 1/1/2014.

Chief of Police as Per Contract.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach and carried, with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and

Rodrick absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on January 28, 2020 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on February 11, 2020 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE
TOWNSHIP CLERK

APPROVED AS TO FORM:
KENNETH B. FITZSIMMONS
TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, January 31, 2020.

Ordinance was adopted on first reading with Council Member Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent.

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

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING §14-10A (RECORDS MANAGER) OF THE TOWNSHIP CODE TO RE-DESIGNATE, AND REVISE THE JOB DUTIES, OF THE POSITION OF RECORDS MANAGER

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

1. Subsection A (Records Manager) of Section 10 (Records Manager and Assistant Records Manager) of Chapter 14 (Office of the Municipal Clerk) is hereby re-designated, amended, and supplemented to provide as follows:

§14-10. Records Manager/Council Liaison and Assistant Records Manager.

A. Records Manager/Council Liaison.

(1) [No change].

(2) Duties: under the direction of the Municipal Clerk plans, organizes, directs, and coordinates all activities involved in

the management of the Township's comprehensive records, storage retrieval, maintenance, and disposal systems; and performs other clerical, administrative, public relations, and outreach functions as assigned by the Township Council; and performs other related duties as necessary.

(3) through (6) [No change.]

(7) The Records Manager/Council Liaison shall receive such compensation as provided in the prevailing salary ordinance.

2. All references in the Township Code to the former "Records Manager" are hereby amended to reflect the re-designation adopted herein.

3. All other provisions of the Township Code not inconsistent herewith remain in full force and effect.

4. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.

5. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

6. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach and carried, with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on January 28, 2020 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on February 11, 2020 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE
TOWNSHIP CLERK

APPROVED AS TO FORM:
KENNETH B. FITZSIMMONS
TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET

TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, January 31, 2020.

Ordinance was adopted on first reading with Council Member Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent.

No other business appearing, the meeting was **adjourned** at 8:12 P. M., on motion with Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Turnbach, and Council President Maruca voting yes, and with Council Members Lotano and Rodrick absent.

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK