

February 25, 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 meeting notice to the Open Public Meetings Act:

OPEN PUBLIC MEETINGS ACT
STATEMENT

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on 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	- Present
Council Member Rodrick	- Present
Council Member Turnbach	- Present
Council Vice-President Geoghegan	- Present
Council President Maruca	- Present

APPROVAL OF MINUTES

A motion was made by Council Member Turnbach, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes, and with Council Member Huryk abstaining, to approve the **Regular Meeting of February 11, 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 Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes, to make the following honoring proclamations a part of the Minutes.

Mayor Hill presented proclamation to Doctor Vasquez to acknowledge Children's Dental Health Month.

Township of Toms River
Proclamation

February 25, 2020

WHEREAS, The American Dental Association sponsors National Children’s Dental Health Month each February in order to raise awareness about the importance of good oral health; and

WHEREAS, This year’s theme celebrates the 75th anniversary of community water fluoridation and in observance the campaign slogan is ‘Fluoride in water prevents cavities;’ and

WHEREAS, Good dental habits that are learned at a young age and reinforced by parents and dental healthcare providers help people maintain good dental health throughout their lives; and

WHEREAS, *Ocean Pediatric Dental Associates* welcomed children throughout Ocean County for free preventive and emergency pediatric dental care at an event called “Give Kids a Smile,” that included a comprehensive dental exam, dental cleaning, oral healthcare instruction, fluoride treatments, and free dental hygiene materials including toothbrushes, floss and toothpaste; and

WHEREAS, The dentists and staff at *Ocean Pediatric Dental Associates* volunteered and donated their time to provide free care for 75 children who would not have otherwise had access to dental healthcare.

NOW, THEREFORE, I, Mayor Maurice B. Hill and Council President Maria L. 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, do hereby proclaim February 2020 to be *Children’s Dental Health Month*, and we encourage all citizens to join in this special observance.

Mayor Maurice B. Hill, Jr.

*Maria L. Maruca
Council President*

Kevin M. Geoghegan

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Daniel T. Rodrick

Terrance L. Turnbach

Councilwomen Maruca and Huryk presented proclamation for League of Women Voters of New Jersey and the Girl Scouts Council of Jersey Shore.

Township of Toms River Proclamation

February 25, 2020

WHEREAS, The League of Woman Voters of New Jersey and the *Girl Scout Council of the Jersey Shore*, are partnering to run a program called Voter Girl to celebrate the Centennial of the 19th Amendment, which in 1920 established women’s right to vote; and

WHEREAS, The program promotes the ideals of civic engagement that both the League and the Girl Scouts cherish; and

WHEREAS, Girl Scout Brownies and above will earn a different badge during this one-day class, with a curriculum appropriate for each level; and

WHEREAS, In this half day activity on March 7th, 2020, League members from Monmouth and Ocean Counties will use their knowledge of voting and advocacy to help girls earn Girl Scout citizenship badges and vote in a mock election; and

WHEREAS, The local women elected officials will also speak to the girls and offer inspiration for the girls to run for office someday.

NOW, THEREFORE, We, Mayor Maurice B. Hill and Council President Maria L. 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, hereby recognize, the *Girl Scouts of the Jersey Shore* for illustrating and educating children in our community on the women’s suffrage movement through the Voter Girl Project.

Mayor Maurice B. Hill, Jr.

*Maria L. Maruca
Council President*

Kevin M. Geoghegan

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Daniel T. Rodrick

Terrance L. Turnbach

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL, OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING 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, 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 **the public hearing was held and closed on January 28, 2020.**

On motion by Council Member Turnbach, seconded by Council Member Huryk and carried with the following votes, to approve the ordinance listed above.

Council Member Huryk	Yes
Council Member Kopp	Abstained
Council Member Lotano	Yes
Council Member Rodrick	Yes
Council Member Turnbach	Yes
Council Vice-President Geoghegan	Abstained
Council President Maruca	Yes

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 VARIOUS SECTIONS OF THE TOWNSHIP CODE TO RESTRUCTURE CERTAIN ADMINISTRATIVE DEPARTMENTS OF THE TOWNSHIP GOVERNMENT

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

SECTION 1

1. Chapter 52 of the Township Code (Department of Parks, Buildings, Grounds, and Code Enforcement) is hereby repealed and re-designated as “reserved.”

2. Chapter 42 of the Township Code (Department of Construction and Inspection Services) is hereby repealed and re-designated as “reserved.”

SECTION 2

3. Chapter 48 of the Township Code (Department of Engineering, Construction Services, and Community Development) is hereby re-designated as the Department of Community Development. All references in the Township Code to the former Department of Engineering, Construction Services, and Community Development are hereby amended to reflect this re-designation.

4. Section 3 of Chapter 48 (Department of Community Development) of the Township Code is hereby amended and supplemented as follows:

§48-3. Divisions established.

Within the Department of Community Development, the following Divisions are established:

- A. [No change.]
- B. [No change.]
- C. Division of Zoning and Planning.
- D. Division of Parks, Buildings, and Grounds.
- E. Division of Code Enforcement.

5. All references in the Township Code to the former Division of Community Development are hereby amended to refer to the Division of Zoning and Planning.

6. Section 48-4C(3) of the Township Code is hereby amended and supplemented to delete the reference to “Draftsperson/CAD Operator” and replace it with “GIS Specialist.”

7. Section 48-5 (Division of Construction Services) is hereby amended and supplemented to add the following subsection:

C. Assistant Construction Official. The position of Assistant Construction Official is hereby established. The Assistant Construction Official shall have the same authorities and duties of the Construction Official.

8. Section 7 of Chapter 48 of the Township Code, and all subsections thereunder, are hereby re-designated as Section 6. This new section 6 is hereby entitled “Division of Zoning and Planning.”

9. A new subsection (9) of Section 6 (Division of Zoning and Planning) of Chapter 48 (Department of Community Development) is hereby added to provide as follows:

(9) Deputy Zoning Officer. To assist and perform all duties assigned by the Zoning Officer and to serve as acting Zoning Officer in circumstances when the Zoning Officer is absent, incapacitated, or otherwise unable to carry out the duties of the office.

10. A new section 7 of Chapter 48 of the Township Code is hereby established to provide as follows:

§48-7. Division of Parks, Buildings, and Grounds.

A. Establishment; powers and duties.

(1) There is hereby established the Division of Parks, Buildings, and Grounds, the head of which shall be the Division Manager of Parks, Buildings, and Grounds, appointed by the Director of the Department of Community Development.

(2) The Division shall maintain all Township buildings, grounds, swimming pools, real property, and parks, including garbage removal and maintenance of restroom facilities and shall be responsible for proper testing of bathing beach waters and swimming pool waters.

B. Positions Created.

The following positions are hereby established within the Division of Parks, Buildings, and Grounds:

- (1) Foreman
- (2) Senior Maintenance Worker/Custodian
- (3) Senior Groundsman.
- (4) Groundsman, full-time.
- (5) Groundsman, part-time.

- (6) Laborer, full-time.
- (7) Laborer, part-time.
- (8) Maintenance worker, full- or part-time.
- (9) Custodian.
- (10) Clerical staff.
- (11) Driver.
- (12) ADA Coordinator.
- (13) Golf Course Superintendent
- (14) Assistant Foreman

11. A new section 8 of Chapter 48 of the Township Code is hereby established to provide as follows:

§48-8. Division of Code Enforcement.

A. There is hereby established a Division of Code Enforcement. The Division of Code Enforcement shall function as follows:

- (1) Conduct field inspections and special investigations to ensure compliance with municipal ordinances.
- (2) Initiate and enforce rules and regulations in relation to enforcement of ordinances.
- (3) Initiate necessary legal action for violations of municipal ordinances.
- (4) Perform any other such function as necessary to administer the Division's purposes.

B. The Division Manager of the Division of Code Enforcement shall be either the Division Manager of Parks, Buildings, and Grounds, or the Chief Code Enforcement Officer.

C. Other positions created.

- (1) Housing, Property Maintenance and Assistant Code Enforcement Officer.
- (2) Assistant Code Enforcement Officers, full-time.
- (3) Assistant Code Enforcement Officers, part-time.
- (4) Clerical support staff.

12. All references in the Township Code to the former Department of Parks, Buildings, Grounds, and Code Enforcement are hereby amended to refer, as applicable, to the Division of Parks, Buildings, and Grounds, or the Division of Code Enforcement.

13. All references in the Township Code to the former Director of the former Department of Parks, Buildings, Grounds, and Code Enforcement are hereby amended to refer, as applicable, to the Division Manager of Parks, Buildings, and Grounds, or the Division Manager of Code Enforcement.

SECTION 3

14. Chapter 46 (Department Health, Human Resources, and Human Services) is hereby re-designated as “Department of Human Services.”

15. All references in the Township Code to the former Department of Health, Human Services, and Human Resources are hereby amended to reflect this re-designation.

SECTION 4

16. Subsection A (Departments) of Section 1 (General Plan) of Chapter 23 (Administrative Organization) is hereby amended and supplemented to provide as follows:

- A. Departments.
 - (1) Department of Administration.
 - (2) Department of Finance.
 - (3) Department of Human Services.
 - (4) Department of Community Development.
 - (5) Department of Law Enforcement
 - (6) Department of Public Works.
 - (7) Department of Recreation.

SECTION 5

17. Section 40-6 of the Township Code is hereby amended and supplemented to provide as follows:

§40-6. Personnel Manager.

- A. There is hereby established the position of Personnel Manager.
- B. The Personnel Manager is hereby assigned the following duties and responsibilities:

(1) through (12) [Unchanged.]

18. Section 40-6.1 of the Township Code is hereby amended and supplemented to add the following subsection:

C. Administrative Assistant.

19. All references in §40-6.1 of the Township Code to “Division Manager of Human Resources” are hereby replaced with “Assistant Business Administrator.”

SECTION 6

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

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

22. 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.

23. 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 Kopp and carried, with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach and with Council President Maruca voting yes, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on February 25, 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 March 10, 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 Tuesday, March 3, 2020.

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

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

CALENDAR YEAR 2020

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N. J. S. A. 40A: 4-45. 14)**

WHEREAS, the Local Government Cap Law, N.J.S.40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A.40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Toms River in the County of Ocean finds it advisable and necessary to increase its CY2020

budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$971,245.62 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Toms River, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2020 budget year, the final appropriations of the Township of Toms River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$3,399,359.66 and that CY2020 municipal budget for the Township of Toms River be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon; be filed with said Director within Five (5) days after such adoption.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on February 25, 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 March 10, 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

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Tuesday, March 3, 2020.

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

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) OF THE TOWNSHIP CODE TO ESTABLISH THE POSITION AND SALARY RANGE OF A CERTAIN SUPERVISORY EMPLOYEE (SCHEDULE "C"), AND TO ESTABLISH THE POSITIONS AND SALARY RANGES OF CERTAIN CONFIDENTIAL EMPLOYEES (SCHEDULE "H")

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 "C" (Supervisory 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:
\
GIS Specialist - \$70,000.00 to \$74,000.00\
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, as follows:
 - (1) Division Manager of Human Resources is deleted and replaced with Personnel Manager - \$67,500.00 to \$85,000.00.
 - (2) Director, Parks, Buildings and Grounds is deleted and replaced with Division Manager – Parks, Buildings and Grounds – \$78,000.00 to \$115,500.00.
 - (3) To establish the salary range of Township Engineer - \$90,000.00 to \$139,500.00.
 - (4) To establish the position and salary range of Human Resources Officer/Personnel Officer (HRO) – \$0 to \$2,500.00.
 - (5) To establish the position and salary range of Assistant Human Resources Officer/Personnel Officer - \$0 to \$2,500.00.
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.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on February 25, 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 March 10, 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 Tuesday, March 3, 2020.

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 165-45 (ANIMAL SHELTER FEES) OF CHAPTER 165 (ANIMALS AND ANIMAL ESTABLISHMENTS) OF THE TOWNSHIP CODE TO REVISE THE FEE STRUCTURE FOR CAT AND DOG ADOPTION, AND BOARDING FEE FOR REDEMPTION OF DOG OR OTHER ANIMAL, AT THE TOMS RIVER ANIMAL SHELTER

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

1. Section 165-45 (Animal shelter fees) of Chapter 165 (Animals and Animal Establishments) of the Township Code is hereby amended and supplemented, as follows:

§165-45. Animal Shelter fees.

The Animal Shelter is hereby authorized to charge the following fees for the services listed:

- A. Boarding fee for redemption of dog or other animal: \$35.00.

B. Adoption of an animal that has been spayed/neutered, chipped, heartworm tested, and up-to date on their shots, with the exception of non-profit organizations, for which the adoption fee shall be waived:

(1) Dogs: \$150.00

(2) Dogs: Seven years or older - \$100.00

(3) Cats: \$75.00

(4) Cats: Seven years or older - \$50.00

C. (No Change).

D. (No Change).

E. (No Change).

F. (No Change).

G. (No Change).

H. (No Change).

2. All other provisions of Chapter 165 shall remain in full force and effect.

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

4. 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.

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.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on February 25, 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 March 10, 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 Tuesday, March 3, 2020.

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

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, AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53b FOR THE PREPARATION AND EXECUTION OF COMPLETE PROGRAM OF REVALUATION OF ALL REAL PROPERTY WITHIN THE TOWNSHIP AS ORDERED BY THE OCEAN COUNTY BOARD OF TAXATION

WHEREAS, on December 21, 2017, the Ocean County Board of Taxation issued an order directing the Township of Toms River to undertake a complete program of revaluation of all real property within the Township for the use of the Township tax assessor for the tax year 2020; and

WHEREAS, that order was approved by the New Jersey Division of Taxation on January 12, 2018; and

WHEREAS, by resolution adopted September 12, 2019, the Ocean County Board of Taxation granted extended the deadline for completion and implementation of the revaluation to tax year 2021; and

WHEREAS, the extension was approved by the Division of Taxation on September 27, 2019; and

WHEREAS, N.J.S.A. 40A:4-53 authorizes the adoption of a special emergency appropriation ordinance for the carrying out of the preparation and execution of a complete program of revaluation of real property for the use of the local assessor when such is ordered by a county board of taxation; and

WHEREAS, the estimated cost of the revaluation is \$4,000,000:

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

1. Pursuant to N.J.S.A. 40A:4-53b, the sum of \$4,000,000 is hereby appropriated for the preparation and execution of a complete program of revaluation of all real property within the Township of Toms River for the use of the Township Tax Assessor and the same shall be deemed a special emergency appropriation as defined and provided for therein.

2. Pursuant to N.J.S.A. 40A:4-55c, the authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5 of the amount authorized.

3. A copy of this ordinance shall be filed with the Director of the Division of Local Government Services.

4. 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.

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 therefore shall not be codified.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on February 25, 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 March 10, 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 Tuesday, March 3, 2020.

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

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

**RESOLUTION TO AMEND THE 2020 TEMPORARY BUDGET
PURSUANT TO N. J. S. A. 40A:4-20
February 25, 2020**

WHEREAS, the Township Council of the Township of Toms River passed a 2020 Temporary Budget Resolution on January 3, 2020; and,

WHEREAS, N.J.S.A. 40A:4-20 authorizes the Township Council by resolution adopted by a two-thirds vote of the full membership thereof to make emergency temporary appropriations;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, that the attached list of 2020 emergency temporary appropriations are hereby approved.

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

- a) Administrator
- b) Township Attorney
- c) Chief Financial Officer
- d) Affected Department Heads

Approved as to Content:

‘SEE ATTACHMENTS’

CONSENT AGENDA

Council Member 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, Lotano, Rodrick, Turnbach and Council President Maruca voting yes, to **close public comment**.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A
100% A DISABLED VETERANS’ STATUS FOR THE OWNER OF BLOCK 507.51 LOT 6
EFFECTIVE JANUARY 1st 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2019,
AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

FEBRUARY 25, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 507.51 LOT 6, located at 529 River Terrace, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1st 2020 and

WHEREAS, property taxes for 2020, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. All 2020 real property taxes for Block 507.51 Lot 6, due on or after January 1st, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 507.51 lot 6, if any, shall be refunded on a pro-rated basis from January 1st, 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B, HILL Jr.
 - b) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Alexander Davidson, Chief Financial Officer
 - e) William Laird, Township Assessor
 - f) Carl Dileo, Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A
100% DAV WIDOW'S DEDUCTION FOR THE OWNER OF BLOCK 397.05 LOT 2
EFFECTIVE JANUARY 1st 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020,
AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

FEBRUARY 25, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 397.05 LOT 2, located at 2487 Polhemus Road, has been certified by the Tax Assessor as a of a 100% DAV Widow's Deduction, effective January 1st 2020 and

WHEREAS, property taxes for 2020, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. All 2020 real property taxes for Block 397.05 Lot 2, due on or after January 1st, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 397.05 lot 2, if any, shall be refunded on a pro-rated basis from January 1st, 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B, HILL Jr.
 - b) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Alexander Davidson, Chief Financial Officer

- e) William Laird, Township Assessor
- f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO HUNTER JERSEY PETERBILT, AS SOLE BIDDER, MEETING ALL THE BID SPECIFICATIONS, FOR THE PURCHASE OF ONE (1) AUTOMATED REFUSE COLLECTION SYSTEMS CAB AND CHASSIS FOR THE DEPARTMENT OF PUBLIC WORKS, IN THE MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$295,295.00

FEBRUARY 25, 2020

WHEREAS, bids were invited on February 6, 2020 for the Purchase of One (1) Automated Refuse Collection Systems Cab and Chassis for the Department of Public Works; and

WHEREAS, only one bid was received from the following vendor:

Hunter Jersey Peterbilt
 524 Monmouth Road
 PO Box 729
 Clarksburg, NJ 08510

Price Per Each

Automated Refuse Collection Systems Cab &
 Chassis, New and Unused, 2020 Model \$295,295.00

Make Cab/Chassis Bid: Peterbilt

Model Bid: 520/Labrie Automizer Right Hand 33 Yd.

Year Bid: 2020 (Chassis) Automizer Body 2020

Delivery Date: 180-250 Days After Receipt of Order

Service Facility Location: 514 Monmouth Road, Clarksburg, NJ 08510

WHEREAS, the bid has been reviewed by the Purchasing Division and the Department of Public Works, and it is their recommendation to award a contract to Hunter Jersey Peterbilt, as sole bidder meeting all the specifications, for a total contract amount not to exceed \$295,295.00;

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

1. It hereby awards the contract for the Purchase of One (1) Automated Refuse Collection Systems Cab and Chassis for the Department of Public Works to Hunter Jersey Peterbilt, as sole bidder meeting all the specifications, for a total contract amount not to exceed \$295,295.00.

2. Funds in the amount of \$295,295.00, are available in Account No. X-04- -248-001. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of this contract is subject to all terms and conditions of the bid specifications.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Public Works Dept.

e) Aforementioned bidder

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Hunter Jersey Peterbilt, for a total contract amount not to exceed \$295,295.00, 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: February 25, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO HUNTER JERSEY PETERBILT, AS SOLE BIDDER MEETING ALL THE BID SPECIFICATIONS, FOR THE PURCHASE OF ONE (1) FRONT LOAD COLLECTION TRUCK, CAB AND CHASSIS FOR THE DEPARTMENT OF PUBLIC WORKS, IN THE MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$254,783.00

FEBRUARY 25, 2020

WHEREAS, bids were invited on February 6, 2020 for the Purchase of One (1) Front Load Collection Truck, Cab and Chassis for the Department of Public Works; and

WHEREAS, only one bid was received from the following vendor:

Hunter Jersey Peterbilt
524 Monmouth Road
PO Box 729
Clarksburg, NJ 08510

Price Per Each

Front Load Refuse Collection Systems Cab
& Chassis, New and Unused 2020 Model
Or Newer: \$269,783.00

Make Cab/Chassis Bid: Peterbilt
Model Bid: 520/WITTKKE 40 Yd. Starlight
Year Bid: 2021/2020
Delivery Date: 180-250 Days ARO

Trade-in #81 89494 2010 AUTOCAR
5VCACLKF3AH210659: \$15,000.00

GRAND TOTAL BID COLLECTION
SYSTEM LESS TRADE-IN: \$254,783.00

WHEREAS, the bid has been reviewed by the Purchasing Division and the Department of Public Works, and it is their recommendation to award a contract to Hunter Jersey Peterbilt, as sole bidder meeting all the bid specifications, for a total contract amount not to exceed \$254,783.00;

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

1. It hereby awards the contract for the Purchase of One (1) Front Load Collection Truck, Cab and Chassis for the Department of Public Works, as sole bidder meeting all the specifications, for a total contract amount not to exceed \$254,783.00.
2. Funds in the amount of \$254,783.00, are available in Account No. X-04- - 248-001. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of this contract is subject to all terms and conditions of the bid specifications.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Township Attorney
 - d) Public Works
 - e) Aforementioned bidder

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Hunter Jersey Peterbilt, for a total contract amount not to exceed \$254,783.00, 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: February 25, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO DISPOSE OF ONE (1) 1989 AM GENERAL M998 HUMVEE VEHICLE FROM THE POLICE DEPARTMENT BY DONATION TO THE FIRE DISTRICT, TOMS RIVER, NEW JERSEY, PURSUANT TO N.J.S.A. 40A:11-36(2)

FEBRUARY 25, 2020

WHEREAS, the Division of Purchasing is requesting authorization to dispose of One (1) 1989 AM General M998 Humvee, VIN #66527, from the Police Department by donation to the Fire District, Toms River, New Jersey; and

WHEREAS, N.J.S.A. 40A:11-36(2), allows for the transfer of personal property to another contracting unit without advertising for public bid or auction; and

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

1. Pursuant to N.J.S.A. 40A:11-36 (2), it hereby authorizes the Division of Purchasing to dispose of One (1) 1989 AM General M998 Humvee, VIN # 66527, by donation to the Fire District, Toms River, New Jersey.
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Township Attorney
- c) Chief Financial Officer
- d) Police Department
- e) Laurie Knemoller, Clerk's Office
- f) Fire District

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY APPROVING THE 2020 TOWNSHIP COUNCIL SUBCOMMITTEES

FEBRUARY 25, 2020

WHEREAS, pursuant to §5-15 of the Township Code, the Council President submitted a list of proposed Council Subcommittees for the 2020 legislative year, which is attached hereto as Schedule "A":

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

1. Pursuant to §5-15 of the Township Code, the list of proposed Council subcommittees for the 2020 legislative year prepared by the Council President, attached hereto as Schedule "A", is approved.

2. A certified copy of this resolution and accompanying attachments shall remain on file in the Office of the Township Clerk and provided to the following parties:

- a. Mayor Maurice B. Hill, Jr.
- b. Business Administrator
- c. Township Attorney
- d. Department Heads

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

FEBRUARY 25, 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 authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Townships of Toms River and Manchester to link the Spillman Public Safety Systems (SPSS) for joint use.
- 2. A copy of the Shared Services Agreement is attached to this resolution as Schedule "A", and made a part hereof.

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

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

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

FEBRUARY 25, 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 Maurice B. Hill, Jr.
 - b) Don Guardian, Business Administrator
 - c) Chief Financial Officer
 - d) Carl Dileo, Tax Collector
 - e) Kenneth B. Fitzsimmons, Township Attorney
 - f) Housing & Property Maintenance

- g) Craig Ambrosio, Parks, Buildings & Grounds
- h) Jackson, Nathaniel S. & Kimberly L
805 McKinley Avenue
Toms River, NJ 08755
- i) Deutsche Bank Trust Co.
3232 Newmark Drive
Miamisburg, OH 45342
- j) Stanley, Kyle S.
103 Poe Avenue
Toms River, 08753
- k) Stanley, Klint & Jaime
117 Leedsville Drive
Lincroft, NJ 07738
- l) Madigan, Charles & Kathryn
15 Albert Street
Red Bank, NJ 07701
- m) Karras, Theodore
612 Bearberry Avenue
Toms River, NJ 08753

SCHEDULE "A"

CERTIFICATION OF COSTS

	<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY ADDRESS</u>	<u>TOTAL</u>
1.	233.33	7	130 Mello Lane	\$1059.16
2.	706.04	20	480 West End Avenue	\$1264.61
3.	791	5	612 Bearberry Avenue	\$747.03
4.	843	24	805 McKinley Avenue	\$1131.00
5.	845	16	632 McKinley Avenue	\$701.66
6.	571.26	4	380 Suburban Drive	\$1729.96

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 AN AGREEMENT WITH THE OCEAN COUNTY BOARD OF FREEHOLDERS FOR SUB-AWARD GRANT FUNDING IN THE AMOUNT OF \$10,200.00, TO CONDUCT OUTREACH AND ASSISTANCE ACTIVITIES TO THE HARD-TO-COUNT WITHIN THE TOWNSHIP, IN SUPPORT OF CENSUS 2020

FEBRUARY 25, 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 authorized to execute and the Township Clerk to attest to an agreement with the Ocean County Board of Freeholders for sub-award grant funding in the amount of \$10,200.00, to conduct outreach and assistance activities to the hard-to-count within the Township, in support of Census 2020.

2. A copy of the agreement is attached to this Resolution, and shall be available for public inspection 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) Mayor Maurice B. Hill, Jr.
 - b) Township Council
 - c) Business Administrator
 - d) Township Attorney
 - e) Chief Financial Officer
 - f) Township Planner
 - g) Victoria K. Pecchioli, PP
Principal Planner
Ocean County Planning Board
PO Box 2191
Toms River, NJ 08754-2191
 - h) Ocean County Board of Freeholders

**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 AMENDMENT TO THE INTERIM SETTLEMENT
AGREEMENT BETWEEN UNION CARBIDE CORPORATION AND THE
TOWNSHIP OF TOMS RIVER**

FEBRUARY 25, 2020

WHEREAS, the Township Committee and Union Carbide Corporation entered into an Interim Settlement Agreement on June 12, 1997, whereby the parties thereto would cooperate in the investigation and remediation of the closed Dover Township Landfill; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into an Amendment to Interim Settlement Agreement dated July 15, 1999 which postponed future litigation until January 31, 2001 and to toll the statute of limitations until June 11, 2001, or until 30 days written notice by either party; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into a Second Amendment to Interim Settlement Agreement dated March 20, 2001, which postponed future litigation until February 1, 2002 and to toll the statute of limitations until May 1, 2002, or until 30 days written notice by either party; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into a Third Amendment to Interim Settlement Agreement dated February 4, 2002 and March 12, 2002, which postponed future litigation until February 2, 2003 and to toll the statute of limitations until May 3, 2003, or until 30 days written notice by either party; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into a Fourth Amendment to Interim Settlement Agreement dated February 27, 2003 and April 14, 2003, which postponed future litigation until February 2, 2004 and to toll the statute of limitations until May 3, 2004, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Fifth Amendment to Interim Settlement Agreement dated February 10, 2004 and March 18, 2004, which postponed future litigation until February 2, 2005 and to toll the statute of limitations until May 3, 2005, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Sixth Amendment to Interim Settlement Agreement dated April 12, 2005, which postponed future litigation until February 2, 2006 and tolled the statute of limitations until May 3, 2006, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Seventh Amendment to Interim Settlement Agreement dated April 25, 2006, which postponed future litigation until February 5, 2007 and tolled the statute of limitations until May 3, 2007, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into an Eighth Amendment to Interim Settlement Agreement dated April 10, 2007, which postponed future litigation until February 5, 2008 and tolled the statute of limitations until May 6, 2008, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Ninth Amendment to Interim Settlement Agreement dated March 25, 2008, which postponed future litigation until February 5, 2009 and tolled the statute of limitations until May 6, 2009, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Tenth Amendment to Interim Settlement Agreement dated March 10, 2009, which postponed future litigation until February 5, 2010 and tolled the statute of limitations until May 6, 2010, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Eleventh Amendment to Interim Settlement Agreement dated March 10, 2010, which postponed future litigation until February 5, 2011 and tolled the statute of limitations until May 6, 2011, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twelfth Amendment to Interim Settlement Agreement dated May 12, 2011 which postponed future litigation until February 6, 2012, to toll the statute of limitations until May 7, 2012, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Thirteenth Amendment to Interim Settlement Agreement dated April 2, 2013 which postponed future litigation until February 6, 2013, to toll the statute of limitations until May 7, 2013 or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Fourteenth Amendment to Interim Settlement Agreement dated March 6, 2013 which postponed future litigation until February 6, 2014, to toll the statute of limitations until May 7, 2013 or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Fifteenth Amendment to Interim Settlement Agreement dated February 26, 2014;
and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Sixteenth Amendment to Interim Settlement Agreement dated March 11, 2015 and March 13, 2015, to postpone future litigation until February 8, 2016, to toll the statute of limitations until May 9, 2016, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Seventeenth Amendment to Interim Settlement Agreement dated February 8, 2017, to toll the statute of limitations until May 9, 2017, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into an Eighteenth Amendment to Interim Settlement Agreement dated February 28, 2017, 2018 to postpone future litigation until February 8, 2018, to toll the statute of limitations until May 9, 2018, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Nineteenth Amendment to Interim Settlement Agreement dated February 27, 2018,

to postpone future litigation until February 8, 2019, to toll the statute of limitations until May 9, 2019, or until 30 days written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twentieth Amendment to Interim Settlement Agreement dated February 13, 2019, to postpone future litigation until February 10, 2020, to toll the statute of limitations until May 11, 2020, or until 30 days written notice by either party; and

WHEREAS, the parties wish to amend that agreement to postpone future litigation until February 10, 2021, to toll the statute of limitations until May 11, 2021, or until 30 days written notice by either party; and

WHEREAS, a copy of the Twenty-First Amendment to Agreement will be kept on file in the Office of the Township Clerk upon execution;

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Twenty-First Amendment to Interim Settlement Agreement with Union Carbide Corporation, which will postpone future litigation until February 10, 2021, to toll the statute of limitations until May 11, 2021, or until 30 days written notice by either party. 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 Thomas F. Kelaher
- b) Township Council
- c) Paul Shives, Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Engineering Division
- g) Thomas J. Trautner, Esq.
Lauren Tardanico, Esq.
Chiesa, Shahinian & Giantomasi, PC
One Boland Drive
West Orange, NJ 07052
- h) William L. Warren, Esq.
Faegre, Drinker, Biddle & Reath
105 College Road East
P.O. Box 627
Princeton, N.J. 08542-0627
- i) Mr. James Struck, Jr.
The Dow Chemical Company
310 George Patterson Blvd.
Suite 100
Bristol, PA. 19007
- j) Joel F. Visser, Esq.
The Dow Chemical Company
2040 Dow Center
Midland, Michigan 48674

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE EXECUTION AND FILING OF CONSENT JUDGMENT BY WILLIAM WILLARD, TOMS RIVER TOWNSHIP AFFORDABLE HOUSING ATTORNEY, IN THE MATTER BRANCH BANKING AND TRUST COMPANY v. CYNTHIA A SHEA et als.,
DOCKET NO.: SWC-F-018684-19**

FEBRUARY 25, 2020

WHEREAS, Branch Banking and Trust Company (“Branch Banking”) filed a Complaint for Foreclosure venued in the Ocean County Superior Court, Chancery Division, under Docket No.: SWC-F-018684-19 seeking foreclosure on the property identified on the Toms River Tax Map as Block 37, Lot 1C1001, and commonly known as 1001 Scarlet Oak Avenue, Toms River, New Jersey (“Property”); and

WHEREAS, the Property is a deed restricted affordable housing unit subject to affordable housing rules, regulations, restrictions and the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the Complaint for Foreclosure names the Township of Toms River as a defendant based on the Deed, Affordable Housing Agreement, Repayment Mortgage and affordable restrictions on the Property; and

WHEREAS, a proposed settlement of the litigation was negotiated between the attorneys for the parties, the terms of which are as set forth in a proposed Consent Judgment; and

WHEREAS, pursuant to the proposed Consent Judgment, the Property will remain a deed restricted affordable unit subject to all affordable housing rules, regulations, restrictions and the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the Administrator and Township Council of the Township of Toms River have reviewed and considered the terms and conditions of the proposed Consent Judgment and hereby agree it is in the best interests of the Township to resolve this litigation as set forth therein.

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

(1) The Township’s Affordable Housing Attorney, William Willard, of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., is hereby authorized in the matter entitled Branch Banking and Trust Company v. Cynthia A. Shea, et als., Docket No. SWC-F-018684-19, to execute and file the proposed Consent Judgment and take all necessary action to enforce the terms of the Consent Judgment.

(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) Affordable Housing Liaison
- (e) Chief Financial Officer
- (f) Township Attorney
- (g) DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.
Attn: William J. Willard
15 Mountain Boulevard
Warren, NJ 07059.

RESOLUTION

February 25, 2020

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

<u>Name</u>	<u>Type of License</u>	<u>Taxi Company</u>
05-20 Jaswinder Lal	Taxi Driver (Renewal)	DKR Cab
04-20 Balkar Mola	Taxi Driver (Renewal)	EZ Taxi
19-20 Stephen Delmar	Taxi Driver (Renewal)	Always Affordable Taxi
22-20 Hardil Singh	Taxi Driver (Renewal)	7 Star Taxi

23-20 Lisa Raab	Taxi Driver (Renewal)	A Absolutely the Best
24-20 Charles Raab	Taxi Driver (Renewal)	A Absolutely the Best
25-20 Carol Smith	Taxi Driver (Renewal)	A Absolutely the Best

WHEREAS, the Township Clerk has reported to this Council that said applications and requirements are in order;

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

1. That the Clerk of this Township is hereby authorized and directed to issue the TAXI LICENSE to the applicants listed above, in accordance with Chapter 457 (Taxicab and Taxicab Drivers) the "Code of the Township of Toms River".
2. The applicant is required to conform to all provisions of Chapter 457 (Taxi cabs and Taxi Drivers)
3. The Township Clerk shall send a certified copy of Resolution to the:

- a. Police Department
- b. Licensee (s)
- c. Clerk's File
- d. Law Dept

RESOLUTION

February 25, 2020

WHEREAS, the following application for masseuse and massage business licenses have been made under the Provisions of Ordinance numbers 1606 and 1682:

MASSAGE BUSINESS

- | | |
|-------|---|
| 01-20 | Spa 1800 Corp
1800 Lakewood Rd
Toms River, NJ |
| 02-20 | Sunny Days Massage
1594 Rout 9 Unit #8
Toms River, NJ |
| 03-20 | Star Acupressure Center
83 Route 37 West
Toms River, NJ |
| 04-20 | Oasis Bodywork & Spa
1808 Route 37 East
Toms River, NJ |
| 05-20 | Asian Massage
1201 Hooper Ave Unit 1099
Toms River, NJ |

WHEREAS, said applicants have complied with all the requirements of Ordinance numbers 1606 and 1682, Chapter 357, of the "Code of the Township of Toms River, New Jersey," with respect to licensing; and

WHEREAS, the appropriate licensing fee has been paid

To the Township of Toms River;

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

1. The Township Clerk is hereby authorized to issue the licenses Listed in the preamble hereof.
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
 - c. Code Enforcement
 - d. Applicants listed above

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION PLAN KNOWN AS GANNON, BLOCK 443.50, LOT 17 (591 CEDAR GROVE ROAD)

February 25, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision Plan known as Block 443.50, Lot 17.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$9,200.00 which represents the entire Performance Guarantee amount and the Safety and Stabilization Bond amount.
- 2) Check in the amount of \$250.00 which represents the initial required escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Thomas Jr. and Kristen Gannon, 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. Thomas Jr. and Kristen Gannon
520 Lafayette Avenue
Toms River, NJ 08753

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 SMC RIVER AVENUE,
SCOTT MOTOR COACH, BLOCK 173, LOTS 9, 21 AND 22
(Lakewood Road)**

February 25, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 173, Lots 9, 21 & 22.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Cash Bond in the amount of \$63,880.00 which represents the 10% Maintenance Guarantee, will remain on account # 0-14- -902-101 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 Surety Bond # B1191363 in the amount of \$574,920.00 is hereby released;
- 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. 1133 Ocean Avenue, LLC
1133 Ocean Avenue
Lakewood, NJ 08701

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE
GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MINOR
SITE PLAN KNOWN AS ST. JOSEPH'S ROMAN CATHOLIC CHURCH, BLOCK 608
LOT 45 (Cedar Grove Road)**

February 25, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as St. Joseph's Roman Catholic Church, Block 608, Lot 45.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$17,699.62, originally accepted by way of Resolution 'T', dated February 12, 2019, in the original amount of \$19,666.25, is hereby accepted and will remain on account to represent the Maintenance Cash Bond;

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

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

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

- 1) Previously posted Cash Bond in the amount of \$1,966.63, originally accepted in the amount of \$19,666.25, on account # 0-14- -902-101, is hereby released;
- 2) Maintenance Surety Bond listed in the preamble hereof be and the same is hereby retained;
- 3) Township Clerk shall send a certified copy hereof to each of the following:
 - a. Township Engineer
 - b. Chief Financial Officer
 - c. Township Attorney
 - d. St. Joseph's Roman Catholic Church
685 Hooper Avenue
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, accepting a safety and stabilization guarantee for a change of use site plan known as, block 412.12 lot 29 (1436 Lakewood Road)

February 25, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 412.12 Lot 29.

WHEREAS, Performance Bonds have been posted as follows:

- (1) Surety Bond #S328145 in the amount of \$4,500.00 which represents 90 percent of the Safety and Stabilization Guarantee.
- (2) Check in the amount of \$500.00 which represents 10 percent of the Safety and Stabilization Guarantee.
- (3) Check in the amount of \$500.00 which represents the 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 COUNTY 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 Bayshore Enterprises, Corporation, 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 the each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 1133 Ocean Avenue, LLC
1133 Ocean Avenue
Lakewood, NJ 08701

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING A SAFETY AND

**STABILIZATION GUARANTEE FOR A MAJOR SITE PLAN KNOWN AS, BLOCK
645, LOTS 1,2,3 AND 6 Phase 1
(975 Hooper Avenue)**

February 25, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 645, Lots 1, 2, 3 & 6.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Safety and Stabilization Guarantee in the amount of \$5,000.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$1,242.65 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 Ocean First Bank, 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. Ocean First Bank
975 Hooper Avenue
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING A SAFETY AND
STABILIZATION GUARANTEE FOR A MAJOR SITE PLAN KNOWN AS, BLOCK
645, LOTS 1,2,3 AND 6 Phase 2
(975 Hooper Avenue)**

February 25, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 645, Lots 1, 2, 3 & 6.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Safety and Stabilization Guarantee in the amount of \$5,000.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$36,239.23 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 Ocean First Bank, 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
- e. Chief Financial Officer
- f. Township Attorney
- g. Ocean First Bank
975 Hooper Avenue
Toms River, NJ 08753

REPORTS

NONE

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **February 21, 2020** was approved on motion by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and with Council President Maruca voting yes. The following respective exceptions to their votes were noted as abstentions to this vote:

Councilman Geoghegan abstained due to Business conflicts on the following:

Purchase Order 20-00851, payable to Silverton First Aid Squad, Inc., in the amount of \$29,736.66.

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

Purchase Order 19-00863 and 20-00383, payable to Dasti, McGuckin, Attorneys at Law in the amount of \$7,020.00.

Purchase Order 20-00271, payable to Gregory McGuckin, Esquire, in the amount of \$2,038.50.

Purchase Order 20-00148, payable to N.J. Motor Vehicle Commission in the amount of \$120.00.

Purchase Order 20-00684, payable to N.J. MVC Lease in the amount of \$4,128.00.

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 20-00382, payable to Remington & Vernick Engineers in the amount of \$14,512.50.

Purchase Order 20-00684, payable to Recreation Salaries in the amount of \$8,547.96.

Purchase Order 20-00162, payable to Borough of Lavallette in the amount of \$553.42.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 20-00272, payable to Owen Little & Assoc. In., in the amount of \$4,776.00.

Purchase Order 20-00851, payable to Silverton First Aid Squad, Inc., in the amount of \$29,736.66.

Councilman Lotano abstained due to Business conflicts on the following:

Purchase Order 20-00382, payable to Remington & Vernick Engineers in the amount of \$14,512.50.

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 19-00863 and 20-00383, payable to Dasti, McGuckin, Attorneys at Law in the amount of \$7,020.00.

Purchase Order 20-00271, payable to Gregory McGuckin, Esquire, in the amount of \$2,038.50.

Purchase Order 20-00684, payable to Magistrate Salaries in the amount of \$7,499.70.

ELECTED OFFICIALS COMMENTS

Mayor Hill spoke regarding downtown redevelopment, and Governor Murphy Budget speech.

Administrator Guardian read into record the website posted statement regarding water testing.

Council Members Lotano, Rodrick, Kopp, and Geoghegan had no comments.

Councilwoman Huryk spoke regarding theater Co "Exit 82" schedule update of current shows, and "Voter Girl" event on March 7th.

Councilman Turnbach spoke regarding Governor Murphy State Address regarding 50 million in budget for schools.

Councilwoman Maruca spoke regarding Dodge Ball Tournament held by Police Department and raised a lot of money for unity tour bike ride to Washington DC.

PUBLIC COMMENTS

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

Artis Cohen, 492 Eagle Point Drive, spoke regarding 2nd & 4th Amendment being infringed upon by Governor Murphy.

Catherine Cristofuli, Ortley Beach, spoke regarding Surf Club purchase for Ortley Beach Community.

Kathy Lazaro spoke regarding animal shelter fees.

Michelle Williams, Board of Education, spoke regarding the Governor Murphy's speech and budget.

Debbie Martin, 1921 Ocean Avenue, spoke regarding Surf Club. She does not approve building condos next to Surf Club.

Robert Steidlman, Harborside Drive, spoke regarding elevation of sixth terrace, harborside drive.

Toni Napolitano, West Harborside, spoke in support of second amendment resolution, and school budget cuts.

Jason Butto, support second amendment resolution.

No further comments from the public appearing, a motion was made by Council Member Turnbach, seconded by Council Member Geoghegan, and carried to close public comment. Motion by Rodrick, second by Huryk to enter into a private Executive Session at 6:56 p.m.

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

RESOLUTION

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

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

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

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

Matters of Personnel
Matters of Litigation
Settlement of Claim
Land Acquisitions

3. The following specific topics were announced.
 1. Executive Session Minutes: February 11, 2020 Regular Meeting
 2. Personnel Issues
 3. Review of status of all real property acquisitions. (voluntary acquisitions and eminent domain actions)
 4. Review with redevelopment counsel the status of downtown redevelopment projects
 5. Toms River Municipal Utilities Authority
 6. Legal review of laws and privileges applicable to matters discussed in Executive Session
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	- Present
Council Member Rodrick	- Absent
Council Member Turnbach	- Present
Council Vice-President Geoghegan	- Present
Council President Maruca	- Absent

The Council **reconvened** the public portion at 9:59 P.M., a motion was made by Council Member Huryk, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, and Turnbach voting yes, and with Council Member Rodrick and Council President Maruca absent..

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

**RESOLUTION APPROVING
EXECUTIVE SESSION MINUTES**

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

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

1. The following Executive Session Minutes are approved:

February 11, 2020 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 10:00 P. M., on motion with Council Member Huryk, seconded by Council Member Lotano, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, and Turnbach voting yes, and Council Member R Odrick and Council President Maruca absent..

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK