

March 10, 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.

A moment of silence was held for the recent death of Michael Forentino from Public Works.

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 Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and with Council President Maruca voting yes, to approve the **Regular Meeting of February 25, 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.

Council President Maruca introduced and presented a proclamation for Eagle Scout Casey Aidan Shepherd.

**Township of Toms River**

# Proclamation

## Eagle Scout Court of Honor

March 10, 2020

*WHEREAS, Casey Aidan Shepherd is involved with the Boy Scout Program, currently as a member of Boy Scout Troop 20 in Toms River; and*

*WHEREAS, Casey Aidan Shepherd has progressed through the ranks of Cub Scouts and Boy Scouts, and has achieved the rank of Eagle Scout; and*

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

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

*WHEREAS, Casey Aidan Shepherd has successfully completed all requirements to receive the rank of Eagle Scout; and*

*NOW, THEREFORE, I, Maurice "Mo" B. Hill, Jr., Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate Casey Aidan Shepherd on his achievement of becoming an Eagle Scout, and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and effort for the good of his community.*

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**Mayor Maurice "Mo" B. Hill, Jr.**

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**Maria Maruca  
Council President**

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**Kevin M. Geoghegan**

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**Laurie A. Huryk**

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**Joshua D. Kopp**

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**Matthew W. Lotano**

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**Daniel T. Rodrick**

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**Terrance L. Turnbach**

Council President Maruca introduced National Problem Gambling Awareness Month and presented proclamation.

# Township of Toms River

## Proclamation

March 10, 2020

**WHEREAS,** National Problem Gambling Awareness Month is recognized the month of March in the Township of Toms River; and

**WHEREAS,** promoting the awareness month provides individuals in the problem gambling community an opportunity to educate the public and policymakers about the social and financial effectiveness of services available for problem gambling; and

**WHEREAS,** problem gambling is a public health issue affecting millions of Americans of all ages, races, and ethnic backgrounds in all communities and which has a significant societal and economic cost; and

**WHEREAS,** problem gambling is treatable, and treatment is effective in minimizing the harm to both individuals and society as a whole; and

**WHEREAS,** we invite all residents of Toms River, New Jersey, to participate in National Problem Gambling Awareness Month.

**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, do hereby proclaim the month of March, 2020, as National Problem Gambling Awareness Month. We encourage all residents to learn about the signs of problem gambling and to help spread the message about the availability of treatment.

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*Mayor Maurice B. Hill, Jr.*

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*Maria L. Maruca  
Council President*

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*Kevin M. Geoghegan*

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*Laurie A. Huryk*

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*Joshua D. Kopp*

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*Matthew W. Lotano*

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*Daniel T. Rodrick*

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*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 Geoghegan, and carried that an Ordinance entitled:

**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 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 Turnbach offered the following ordinance and moved its adoption, Council Member Geoghegan 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	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes
Council Member Rodrick	No
Council Member Turnbach	Yes
Council Vice-President Geoghegan	Yes
Council President Maruca	Yes

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

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

**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)**

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.

Art Anderson, 12 Park Street, questioned this ordinance. Township Chief Financial Davidson explained.

On motion by Council Member Huryk, seconded by Council Member Kopp 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	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes
Council Member Rodrick	No
Council Member Turnbach	Yes
Council Vice-President Geoghegan	Yes
Council President Maruca	Yes

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

A motion was made by Council Member Huryk, seconded by Council Member Rodrick, 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 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 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 Geoghegan and carried, the public hearing was closed.

Council Member Huryk offered the following ordinance and moved its adoption, Council Member Rodrick 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	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes
Council Member Rodrick	No
Council Member Turnbach	Yes
Council Vice-President Geoghegan	Yes
Council President Maruca	Yes

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 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 ANIIMAL, AT THE TOMS RIVER ANIMAL SHELTER**

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 Geoghegan and carried, the public hearing was closed.

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

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

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

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

Council Member Huryk	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes

Council Member Rodrick	Yes
Council Member Turnbach	Yes
Council Vice-President Geoghegan	Yes
Council President Maruca	Yes

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

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

**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**

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

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 with Council President Maruca voting yes, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES PURSUANT TO**

**N.J.S.A. 40A:4-55 TO FINANCE THE SPECIAL EMERGENCY  
APPROPRIATION FOR THE TOWNSHIP-WIDE REVALUATION**

**MARCH 10, 2020**

**WHEREAS**, on this date, the Township Council adopted an ordinance pursuant to N.J.S.A. 40A:53b authorizing a special emergency appropriation for the preparation and execution of a complete program of revaluation of all real property within the Township, as ordered by the Ocean County Board of Taxation; and

**WHEREAS**, N.J.S.A. 40A:4-55 requires the adoption of a companion resolution setting forth the amount appropriated and authorizing the issuance of special emergency notes to finance the special emergency appropriation; and

**WHEREAS**, it has been determined that the issuance of special emergency notes may be necessary to finance the special emergency appropriation for the Township-wide revaluation:

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

1. Pursuant to N.J.S.A. 40A:4-55a, the amount of the special emergency appropriation for the complete program of revaluation of all real property within the Township is \$4,000,000.

2. The special emergency appropriation shall be provided for in each municipal budget in the next succeeding five years in amount of not less than \$800,000 per year.

3. Pursuant to N.J.S.A. 40A:4-55b, the issuance of special emergency notes in an amount not to exceed \$4,000,000 is hereby authorized.

4. The special emergency notes authorized by this resolution may be issued at any time during next succeeding five-year year period if deemed necessary and may be renewed from time to time provided that the notes and any renewal thereof shall mature and be paid not later than the last day of the fifth year following the date of this resolution.

5. The special emergency notes authorized hereby shall be executed by the Chief Financial Officer.

6. Statements required by the Local Finance Board shall be filed with the Township Clerk and shall be transmitted to the Director of the Division of Local Government Services.

7. Two certified copies of this resolution shall be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

8. Certified copies of this resolution shall remain on file in the Office of the Township Clerk and be provided to the following parties:



- a. Mayor Maurice B. Hill, Jr.
- b. Business Administrator
- c. Chief Financial Officer
- d. Township Attorney
- e) Tax Assessor
- f) Tax Collector

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 with Council President Maruca voting yes, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, SUPPORTING  
THE ACQUISITION OF REAL PROPERTY BY THE COUNTY OF OCEAN,  
DESIGNATED ON THE MUNICIPAL TAX MAP AS  
BLOCK 60, LOTS 1193-1212, 1242, 1253-1262 (2.27 ACRES)**

**MARCH 10, 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 supports the acquisition of real property by the County of Ocean, designated on the Municipal Tax Map as Block 60, Lots 1193-1212, 1242, 1253-1262 (2.27 acres).

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) Township Planner
- f) Chief Financial Officer
- g) Mark A.C. Villinger, PP, AICP, CFM  
Supervising Planner  
Ocean County Planning Department  
129 Hooper Avenue – PO Box 2191  
Toms River, NJ 08754-2191

**CONSENT AGENDA**

Council President Maruca announced the consideration of the Consent Agenda and the reports, 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 Geoghegan, 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, except item **P**, which was done separately.

*RESOLUTION*

**MARCH 10, 2020**

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES), WHICH HAVE BEEN CONSOLIDTATED;

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>
<b>HEALTHSOUTH OF TOMS RIVER, LLC.</b>	<b>535.07</b>	<b>3</b>	<b>2019/4</b>	<b>\$ 1,891.44</b>
	<b>535.07</b>	<b>4</b>	<b>2019/4</b>	<b>2,338.70</b>
	<b>535.07</b>	<b>5</b>	<b>2019/4</b>	<b>1,174.65</b>
	<b>535.07</b>	<b>6</b>	<b>2019/4</b>	<b>1,174.65</b>
	<b>535.07</b>	<b>7</b>	<b>2019/4</b>	<b>1,174.65</b>
	<b>535.07</b>	<b>8</b>	<b>2019/4</b>	<b>1,174.65</b>
	<b>535.07</b>	<b>9</b>	<b>2019/4</b>	<b>2,724.76</b>
<b>TOTALS:</b>				<b>\$11,653.50</b>

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**

**MARCH 10, 2020**

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

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
<b>COREOLOGIC ATTN RECOVERIES DEPARTMENT</b>	<b>1084.07</b>	<b>34</b>	<b>2019/4</b>	<b>\$1,141.74</b>
<b>TOTALS:</b>				<b>\$1,141.74</b>

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

Approved as to content:

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A  
100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 444.07 LOT 6  
EFFECTIVE JANUARY 1<sup>st</sup> 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020,  
AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**MARCH 10, 2020**

WHEREAS, the owner of real property in the Township of Toms River known as Block 444.07 LOT 6, located at 874 EGRET DRIVE, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1<sup>st</sup> 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 444.07 Lot 6, due on or after January 1<sup>st</sup>, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 444.07 lot 6, if any, shall be refunded on a pro-rated basis from January 1<sup>st</sup>, 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***

***March 10, 2020***

*WHEREAS, the Tax Assessor has notified the Tax Collector that the following block and lots should be exempt properties starting in the year 2020.*

***Block 413 Lot 13.04 – Whitty Road***

***Block 410 Lot 15.08 – 1656 Kalvel Court***

***Block 412.41 Lot 43.06 - 112 KRISTJAN COURT***

*WHEREAS, THE Tax Assessor has changed the status of these properties as exempt for 2021.*

*WHEREAS, taxes need to be cancelled for 2020 and any monies paid to be refunded.*

*NOW, THEREFORE BE IT RESOLVED THAT THE TAX COLLECTOR IS AUTHORIZED TO cancel the 2020 taxes and refund any monies paid on the property.*

*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) DONALD GUARDIAN, BUSINESS ADMINISTRATOR
- D) ALEXANDER DAVIDSON, CHIEF FINANCIAL OFFICER
- E) KENNETH B. FITZSIMMONS, TOWNSHIP ATTORNEY
- F) WILLIAM LAIRD, TAX ASSESSOR
- G) CARL DILEO, TAX COLLECTOR

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR LICENSED ELECTRICIAN SERVICES FOR THE DEPARTMENT OF PARKS, BUILDINGS AND GROUNDS, TO MAGIC TOUCH CONSTRUCTION CO., INC. AS THE LOWEST BIDDER, MEETING ALL OF THE BID SPECIFICATIONS**

**MARCH 10, 2020**

**WHEREAS,** bids were invited for Licensed Electrician Services; and

**WHEREAS,** bids were received from the following vendors on February 20, 2020, and reviewed by the Purchasing Division and the Department of Parks, Buildings and Grounds:

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

KRS Services, Inc.  
1806 Route 706  
Southampton, NJ 08089

Bricktown Electrical Contracting, LLC  
1103 B. Industrial Pkwy  
Brick, NJ 08724

Sal Electric Co., Inc.  
83 Fleet Street  
Jersey City, NJ 07306

Electrical Design & Construction Corp.  
PO Box 7404  
Shrewsbury, NJ 07702

**WHEREAS**, the bids have been reviewed by the Division of Purchasing and the Department of Parks, Buildings and Grounds, and they have recommended that a contract be awarded to Magic Touch Construction Co., Inc., as low bidder, meeting all of the bid specifications, as follows;

1. First Year: [Date of Award through Twelve (12) Consecutive Months]

Journeyman/Electrician Hourly Rate: \$86.68

Apprentice Hourly Rate: \$43.34

2. Second Year: [Thirteen through Twenty-Four (24) Consecutive Months]

Journeyman/Electrician Hourly Rate: \$88.88

Apprentice Hourly Rate: \$43.98

3. Cost of Materials (Parts) Above Dealer's Cost: 10.00%

4. New Jersey State License Number: 34EB01543800

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

1. It hereby awards an open-ended contract for Licensed Electrician Services to Magic Touch Construction Co., Inc., as low bidder, meeting all of the bid specifications.

2. This contract shall be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The contract shall not exceed \$500,000.00 over the two-year term and \$250,000.00 per year upon extension.

3. The term of the contract shall be effective for a term of two (2) years, March 22, 2020 through March 21, 2022, or until not-to-exceed cost limitations have been met. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one-year terms, or one (1) additional two-year term after the expiration of the original contract period. The award of this contract is subject to all the terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Parks, Buildings and Grounds
- e) Magic Touch Construction Co., Inc.  
59 West Front Street  
Keyport, NJ 07735

f) All Aforementioned Bidders

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the open-ended contract awarded to Magic Touch Construction Co., Inc. for licensed electrician services, is contingent upon the availability of funds in the appropriate municipal budget. The contract shall not exceed \$500,000.00 over the two-year term and \$250,000.00 per year upon extension.

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: March 10, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO GRANTURK EQUIPMENT CO., INC., AS SOLE BIDDER WHO MEETS ALL THE BID SPECIFICATIONS, FOR ONE (1) REAR-LOADING REFUSE COLLECTION BODY WITH CAB & CHASSIS, WITH THE OPTION TO PURCHASE UP TO ONE (1) ADDITIONAL UNIT OVER THE NEXT TWELVE (12) MONTHS, FOR THE DEPARTMENT OF PUBLIC WORKS, IN THE MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$206,586.00**

**MARCH 10, 2020**

**WHEREAS**, bids were invited for one (1) Rear-Loading Refuse Collection Body with Cab & Chassis, New and Unused, for the Department of Public Works; and

**WHEREAS**, a single bid was received on February 26, 2020, from Granturk Equipment Co., Inc.; and

**WHEREAS**, the aforesaid bid was reviewed by the Division of Purchasing and the Department of Public Works, and they have recommended that a contract be awarded to Granturk Equipment Co., Inc., as follows:

	Granturk Equipment Co, Inc One Schuylkill Pkwy, Bldg B Bridgeport, PA 19405
	Price Per Each
REAR LOADING REFUSE COLLECTION BODY WITH CAB & CHASSIS NEW AND UNUSED 2020 MODEL 66,000 LB GVW MINIMUM (OR EQUAL)	<u>\$210,730.00</u>
MAKE CAB /CHASSIS BID:	<u>FREIGHTLINER CHASSIS</u>
MODEL BID:	<u>114SD</u>
YEAR BID:	<u>2021</u>
DELIVERY DATE:	<u>180 TO 250 DAYS AFTER RECEIPT OF ORDER</u>
TRADE IN #67 73553 2005 WESTERN STAR 5KKHAECG55PU00431	<u>(\$5,000.00)</u>

TRADE IN #65 38585 2008 CONDOR 5SXHANCY58R000090	(\$5,000.00)
TRADE IN #61 90246 2004 VOLVO 4V5KC9GG34N365630	(\$5,000.00)
TRADE IN #63 71736 2005 WESTERN STAR 5KKHAECG35PU00430	(\$5,000.00)
<b>GRAND TOTAL BID COLLECTION SYSTEMS LESS TRADE INS</b>	<b>\$190,730.00</b>
<b>OPTIONAL CART TIPPERS</b>	<b>\$15,856.00</b>
<b>TOTAL CONTRACT AWARD</b>	<b>\$206,586.00</b>

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

1. It hereby awards a contract for One (1) Rear-Loading Refuse Collection Body with Cab & Chassis, to Granturk Equipment Co., Inc., as the sole bidder meeting all the bid specifications, with the option to purchase up to one (1) additional unit over the next twelve (12) months, based upon the availability of funds in the appropriate municipal budget, as follows:

Granturk Equipment Co, Inc  
One Schuylkill Pkwy, Bldg B  
Bridgeport, PA 19405

Price Per Each

REAR LOADING REFUSE COLLECTION BODY WITH CAB & CHASSIS NEW AND UNUSED 2020 MODEL 66,000 LB GVW MINIMUM (OR EQUAL)	\$210,730.00
MAKE CAB /CHASSIS BID:	FREIGHTLINER CHASSIS
MODEL BID:	114SD
YEAR BID:	2021
DELIVERY DATE:	180 TO 250 DAYS AFTER RECEIPT OF ORDER
TRADE IN #67 73553 2005 WESTERN STAR 5KKHAECG55PU00431	(\$5,000.00)
TRADE IN #65 38585 2008 CONDOR 5SXHANCY58R000090	(\$5,000.00)
TRADE IN #61 90246 2004 VOLVO 4V5KC9GG34N365630	(\$5,000.00)
TRADE IN #63 71736 2005 WESTERN STAR 5KKHAECG35PU00430	(\$5,000.00)
<b>GRAND TOTAL BID COLLECTION SYSTEMS LESS TRADE INS</b>	<b>\$190,730.00</b>
<b>OPTIONAL CART TIPPERS</b>	<b>\$15,856.00</b>
<b>TOTAL CONTRACT AWARD</b>	<b>\$206,586.00</b>

2. The award of this contract is subject to all terms and conditions of the bid specifications, with the option to purchase up to one (1) additional unit over the next twelve (12) months, based upon the availability of funds in the appropriate municipal budget.

3. Funds for this contract in the amount not to exceed \$206,586.00 are available in Account No. X-04- -248-001.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Granturk Equipment Co., Inc.

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract awarded to Granturk Equipment Co., Inc. in the maximum contract amount not to exceed \$206,586.00, 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: March 10, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO NORTHEAST SWEEPERS & RENTALS, INC. AS SOLE BIDDER WHO MEETS ALL THE BID SPECIFICATIONS, FOR ONE (1) SINGLE-ENGINE HYDROSTATIC PURE VACUUM SWEEPER, NEW AND UNUSED, WITH THE OPTION TO PURCHASE UP TO ONE (1) ADDITIONAL UNIT OVER THE NEXT TWELVE (12) MONTHS, BASED UPON THE AVAILABILITY OF FUNDS IN THE APPROPRIATE MUNICIPAL BUDGET, FOR THE DEPARTMENT OF PUBLIC WORKS IN THE MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$229,590.97**

**MARCH 10, 2020**

**WHEREAS**, bids were invited for one (1) Single-Engine Hydrostatic Pure Vacuum Sweeper, New and Unused, for the Department of Public Works; and

**WHEREAS**, a single bid was received on February 26, 2020, from Northeast Sweepers & Rentals, Inc., and

**WHEREAS**, the aforesaid bid was reviewed by the Division of Purchasing and the Department of Public Works, and they have recommended that a contract be awarded to Northeast Sweepers & Rentals, Inc., as follows:

Northeast Sweepers & Rentals, Inc.  
16 Passaic Ave., Unit 9  
Fairfield, NJ 07004

	<u>Price Per Each</u>
ONE (1) SINGLE-ENGINE HYDROSTATIC PURE VACUUM SWEEPER NEW AND UNUSED 2020 OR NEWER	<u>\$ 239,590.97</u>
MAKE CAB/CHASSIS BID:	<u>Ravo 5i</u>
MODEL BID:	<u>5i 5<sup>th</sup></u>
YEAR BID:	<u>2020</u>
DELIVERY DATE:	<u>2/28/2020</u>



TRADE IN: 2002 FREIGHTLINER BROOM BEAR SWEEPER  
VIN #1FVABTAKX2HK95181

( \$ 10,000.00 )

**GRAND TOTAL BID COLLECTION SYSTEMS LESS TRADE INS: \$ 229,590.97**

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

1. It hereby awards a contract for One (1) Single-Engine Hydrostatic Pure Vacuum Sweeper, New and Unused, to Northeast Sweepers & Rentals, Inc. as the sole bidder meeting all the bid specifications, with the option to purchase up to one (1) additional unit over the next twelve (12) months, as follows:

Northeast Sweepers & Rentals, Inc.  
16 Passaic Ave., Unit 9  
Fairfield, NJ 07004

	<u>Price Per Each</u>
ONE (1) SINGLE-ENGINE HYDROSTATIC PURE VACUUM SWEEPER NEW AND UNUSED 2020 OR NEWER	<u>\$ 239,590.97</u>
MAKE CAB/CHASSIS BID:	<u>Ravo 5i</u>
MODEL BID:	<u>5i 5<sup>th</sup></u>
YEAR BID:	<u>2020</u>
DELIVERY DATE:	<u>2/28/2020</u>
TRADE IN: 2002 FREIGHTLINER BROOM BEAR SWEEPER VIN #1FVABTAKX2HK95181	<u>( \$ 10,000.00 )</u>
<b>GRAND TOTAL BID COLLECTION SYSTEMS LESS TRADE INS:</b>	<b><u>\$ 229,590.97</u></b>

2. The award of this contract is subject to all terms and conditions of the bid specifications, with the option to purchase up to one (1) additional unit over the next twelve (12) months, based upon the availability of funds in the appropriate municipal budget.

3. Funds for this contract are available in Account No. X-04- -248-001.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Northeast Sweepers & Rentals, Inc.  
16 Passaic Ave., Unit 9  
Fairfield, NJ 07004

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract awarded to Northeast Sweepers & Rentals, Inc. in the maximum contract amount not to exceed \$229,590.97, 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: March 10, 2020

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

**MARCH 10, 2020**

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

**WHEREAS**, bids were received from the following vendors on January 30, 2020:

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

Winfield United  
40 Spring Garden Road  
Robbinsville, NJ 08691

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

Tri-State Materials LLC dba  
Green Pro Materials  
PO Box 604  
Lanoka Harbor, NJ 08734

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

Plant Food Company Inc.  
38 Hightstown-Cranbury Station Rd.  
Cranbury, NJ 08512

Pocono Turf Supply  
160 Commerce Drive  
Montgomeryville, PA 18936

SiteOne Landscape  
1385 East 36<sup>th</sup> Street  
Cleveland, OH 44114

Harrell's, LLC  
PO Box 807  
Lakeland, FL 33802

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

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

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

TruGreen LP  
5003 Industrial Rd.  
Farmingdale, NJ 07727

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

**Davisson Golf, Inc.** for item numbers: 97, 98, 99, 103, and 106.

**Winfield United** for item numbers: 11, 14, 25, 26, 27, 35, 39, 54, 58, 66, 69, 70, 72, 73, 87, and 89.

**Levitt's LLC** for item numbers: 5, 12, 93, and 114.

**Tri-State Materials LLC dba Green Pro Materials** for item numbers: 82 and 141.

**Seeton Turf Warehouse LLC** for item numbers: 16, 24, 44, 48, 75, 76, 88, 108, 110, 122 and 140.

**Plant Food Company Inc.** for item numbers: 79, 80, 81, 84, 85, 86, 95, 100, 101, 102, 105, 107, 109, 111, 112, 119, 125, 126, 128, 129, 132, 135, 137, and 138.

**Pocono Turf Supply** for item numbers: 13, 19, 21, 30, 32, 34, 37, 45, 52, 53, 55 and 94.

**SiteOne Landscaping** for item numbers: 2, 9, 17, 59, 60, 64, 90, 96, 113 and 131.

**Harrell's LLC** for item numbers: 20, 31, 33, 36, 41, 43, 50, 92, 116, 117, 118, 130 and 134.

**Nutrien AG Solutions Inc.** for item numbers: 1, 4, 6, 10, 15, 18, 29, 38, 47, 51, 57, 61, 62, 65, 67, 77, 104, 123 and 124.

**Grass Roots Turf Products, Inc.** for item numbers: 3, 7, 8, 22, 23, 28, 40, 42, 46, 56, 63, 68, 71, 74, 83, 91, 115 and 121.

**WHEREAS**, the bids from Fisher & Son Company Inc. and TruGreen LLP were rejected because they did not complete the mandatory Iran disclosure form; and

**WHEREAS**, Item numbers: 16, 19, 21, 23, 24, 26, 27, 31, 32, 35, 40, 41, 43, 50, 53, 54, 55, 58, 59, 60, 61, 62, 64, 75, 76, 77, 94, 122, 123, 124, 140 were tied and award was determined via tiebreaker; and

**WHEREAS**, Item number 142 had one bid which is rejected because the price is too high. This item will not be rebid; and

**WHEREAS**, Item number 143 had one bid which is rejected because the price is too high. This item will not be rebid; and

**WHEREAS**, Item numbers: 120, 127, 133, 136, and 139 received no bids and will be rebid; and

**WHEREAS**, Item numbers: 49, 78, and 144 received no bids and will not be rebid. Quotes will be obtained prior to purchase; and

**WHEREAS**, Item number 97 is awarded to the second lowest bidder because the lowest bidder did not meet the specifications; and

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

1. It hereby awards contracts for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing and Bunker Sand to the following vendors who meet all of the bid specifications, as follows:

**Davisson Golf, Inc.** for item numbers: 97, 98, 99, 103, and 106.

**Winfield United** for item numbers: 11, 14, 25, 26, 27, 35, 39, 54, 58, 66, 69, 70, 72, 73, 87, and 89.

**Levitt's LLC** for item numbers: 5, 12, 93, and 114.

**Tri-State Materials LLC dba Green Pro Materials** for item numbers: 82 and 141.

**Seeton Turf Warehouse LLC** for item numbers: 16, 24, 44, 48, 75, 76, 88, 108, 110, 122 and 140.

**Plant Food Company Inc.** for item numbers: 79, 80, 81, 84, 85, 86, 95, 100, 101, 102, 105, 107, 109, 111, 112, 119, 125, 126, 128, 129, 132, 135, 137, and 138.

**Pocono Turf Supply** for item numbers: 13, 19, 21, 30, 32, 34, 37, 45, 52, 53, 55 and 94.

**SiteOne Landscaping** for item numbers: 2, 9, 17, 59, 60, 64, 90, 96, 113 and 131.

**Harrell's LLC** for item numbers: 20, 31, 33, 36, 41, 43, 50, 92, 116, 117, 118, 130 and 134.

**Nutrien AG Solutions Inc.** for item numbers: 1, 4, 6, 10, 15, 18, 29, 38, 47, 51, 57, 61, 62, 65, 67, 77, 104, 123 and 124.

**Grass Roots Turf Products, Inc.** for item numbers: 3, 7, 8, 22, 23, 28, 40, 42, 46, 56, 63, 68, 71, 74, 83, 91, 115 and 121.

2. All terms and conditions of the bid specifications are applicable on these contracts. These will be open-ended contracts with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget year.

3. The contract term shall be effective from March 11, 2020 through March 10, 2021.

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

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

- a) Division of Purchasing
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Parks, Buildings & Grounds
- e) Bey Lea Golf Course
- f) Recreation Department
- g) All Aforementioned Bidders

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contracts for grass seed, fertilizer, herbicides, fungicides, insecticides, infield mix, top dressing and bunker sand awarded to:

Davisson Golf  
Winfield United  
Levitt's LLC  
Tri-State Materials LLC dba Green Pro Materials  
Seeton Turf Warehouse LLC  
Plant Food Company Inc.  
Pocono Turf Supply  
SiteOne Landscaping  
Harrell's LLC  
Nutrien AG Solutions  
Grass Roots Tuft Products

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

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: March 10, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND  
RECEIVE SEALED PROPOSALS FOR REVALUATION OF ALL REAL PROPERTY SITUATED  
WITHIN THE TOWNSHIP OF TOMS RIVER USING A COMPETITIVE  
CONTRACTING PROCESS**

**MARCH 10, 2020**

WHEREAS, it has been brought to the attention of the Township Council of the Township of Toms River that the Purchasing Division is requesting authorization to advertise and receive sealed proposals for the revaluation of all real property situated within the Township of Toms River, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 et seq.;

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

1. The Purchasing Division is hereby authorized to advertise and receive sealed proposals for the revaluation of all real property situated within the Township of Toms River, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 et seq.

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) Purchasing Division
- e) Chief Financial Officer
- f) Township Attorney
- g) Tax Assessor
- h) Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, REJECTING BIDS RECEIVED FROM MARLIN  
CONSTRUCTION SERVICES, COLONNELLI BROTHERS INC., CYPRECO INDUSTRIES,  
INC., AND PAVING PLUS, LLC, FOR THE REPAIRS TO THE WINDING RIVER PARK  
PEDESTRIAN BRIDGE, AS THE LOWEST BID SUBSTANTIALLY EXCEEDS THE COST  
ESTIMATES FOR THE GOODS/SERVICES, AND COMPASS CONSTRUCTION INC.,  
WITHDREW THEIR BID DUE TO A MATHEMATICAL ERROR, AND AUTHORIZING THE  
APPROPRIATE TOWNSHIP OFFICIAL TO REBID FOR THE GOODS/SERVICES**

**MARCH 10, 2020**

WHEREAS, bids were invited on February 20, 2020 for Repairs to the Winding River Park Pedestrian Bridge; and

WHEREAS, bids were received from the following vendors:

Compass Construction Inc. PO Box 191 New Egypt, NJ 08533 . . . . .	\$121,330.00
Marlin Construction Services 442 Whitesville Road Jackson, NJ 08527 . . . . .	\$358,851.50
Colonnelli Brothers Inc. 409 South River Street Hackensack, NJ 07601 . . . . .	\$398,960.00

Cypreco Industries, Inc.  
 PO Box 822  
 1490 9<sup>th</sup> Ave.  
 Neptune, NJ 07735 . . . . . \$431,850.00

Paving Plus LLC  
 PO Box 508  
 Franklinville, NJ 08322 . . . . . \$449,808.15

WHEREAS, the bids have been reviewed by the Purchasing Division and the Engineering Department, and recommendation has been made, in the best interest of the Township, to reject all bids received, and rebid this goods/service;

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 is in the best interest of the Township to reject the above-mentioned bids received from Marlin Construction Services, Colonnelli Brothers Inc., Cypreco Industries, Inc., and Paving Plus LLC, because the lowest bid substantially exceeds the cost estimates for this goods/service, pursuant to N.J.S.A. 40A:11-13.2(a).
2. Compass Construction Inc. withdrew their bid due to a mathematical error.
3. It authorizes the appropriate Township Officials to advertise for rebid for the goods/service.
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) Engineering Department
  - e) Aforementioned bidders

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
 OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO  
 DISPOSE OF ITEMS NOT SOLD OR SOLD AND UNCLAIMED AT PUBLIC AUCTION,  
 WHICH ARE NO LONGER NEEDED FOR PUBLIC USE, WHICH WILL  
 BE DISPOSED OF BY RECYCLING WHERE POSSIBLE**

**MARCH 10, 2020**

**WHEREAS**, the Purchasing Division is requesting authorization to dispose of items not sold or sold and unclaimed at public auction, which are no longer needed for public use. Items such as metal cabinets were approved for auction by resolution, did not sell or sold and were not picked up, and will be disposed of by recycling where possible;

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

1. Pursuant to N.J.S.A. 40A:11-36, it hereby authorizes the Purchasing Division to dispose of items not sold or sold and unclaimed at public auction. Items such as metal cabinets were approved for auction by resolution, did not sell or sold and were not picked up, and will be disposed of by recycling where possible.
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) Laurie Knemoller, Clerk's Office

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, REJECTING BIDS RECEIVED FROM WHIRL  
CORPORATION, LAND TEK CONSTRUCTION LLC, BRENNAN BROS CONTRACTING  
LLC, WHICH SUBSTANTIALLY EXCEEDS THE COST ESTIMATES FOR THIS  
GOODS/SERVICE, AND REJECTING BID RECEIVED FROM DOWN TO EARTH  
LANDSCAPING, INC., AS THEY DID NOT USE TOWNSHIP BID FORMS, FOR FITNESS  
COURT AT VETERAN'S PARK, AND AUTHORIZING THE APPROPRIATE TOWNSHIP  
OFFICIAL TO REBID FOR THIS GOODS/SERVICE**

**MARCH 10, 2020**

WHEREAS, bids were invited on February 20, 2020 for Fitness Court at Veteran's Park; and

WHEREAS, bids were received from the following vendors:

Whirl Corporation, Inc. PO Box 110 194 Main Street Port Monmouth, NJ 07758 . . . . .	\$172,034.00
Land Tek Construction LLC d/b/a United Terrain Group 386 Hwy. 79 Morganville, NJ 07751 . . . . .	\$195,000.00
Brennan Bros Contracting LLC 28 Maple Street Old Bridge, NJ 08857 . . . . .	\$189,969.00
Down to Earth Landscaping, Inc. 705 Wright Debow Rd. Jackson, NJ 08527 . . . . .	Rejected – did not use Township bid forms

WHEREAS, the bids have been reviewed by the Purchasing Division and the Recreation Department, and recommendation has been made, in the best interest of the Township, to reject all bids received, and rebid this goods/service;

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 is in the best interest of the Township to reject the above-mentioned bids received from Whirl Corporation, Inc., Land Tek Construction LLC and Brennan Bros Contracting LLC, because the lowest bid substantially exceeds the cost estimates for this goods/service, pursuant to N.J.S.A. 40A:11-13.2(a).
2. The bid received from Down to Earth Landscaping, Inc. is rejected because they did not use Township bid forms.
3. It authorizes the appropriate Township Officials to advertise for rebid for this goods/service.
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) Recreation Dept.
- e) Aforementioned bidders

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CONTRACT TO CF PRODUCTS LLC, CEDAR FOREST PRODUCTS LLC, FOR THE PURCHASE OF ONE (1) LOW PITCH BEAM SHELTER (POLE BUILDING) FOR THE PUBLIC WORKS DEPARTMENT, UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING SYSTEM (HGAC-BUY, CONTRACT NO. PR11-18), IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$133,947.42**

**MARCH 10, 2020**

**WHEREAS**, the Township of Toms River is a member of the Houston-Galveston Area Council Cooperative Purchasing System (HGAC-Buy), as authorized by N.J.S.A. 40A:11-11; and

**WHEREAS**, pursuant to bids received, a contract was awarded to CF Products LLC, Cedar Forest Products LLC, by the HGAC-Buy, of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11; and

**WHEREAS**, the Purchasing Division is requesting authorization to Purchase One (1) Low Pitch Beam Shelter (Pole Building) for the Public Works Department, from CF Products LLC, Cedar Forest Products LLC, utilizing HGAC-Buy, Contract No. PR11-18, in the maximum purchase price amount not to exceed \$133,947.42;

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

1. It hereby authorizes the Purchase of One (1) Low Pitch Beam Shelter (Pole Building) for the Public Works Department, from CF Products LLC, Cedar Forest Products LLC, utilizing HGAC-Buy, Contract No. PR11-18, in the total contract amount not to exceed \$133,947.42.

2. Funds for these purchases in the amount not to exceed \$133,947.42, are available in Account No. X-04- -214-013.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Public Works Department
- e) CF Products, LLC  
Cedar Forest Products, LLC  
PO Box 145  
West Olive, MI 49460

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract with CF Products LLC, Cedar Forest Products, LLC, in the total maximum contract price not to exceed \$133,947.42, are available in Account No. X-04- -214-013.



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: March 10, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CONTRACT TO VENDOR WITH NJ STATE CONTRACT, CHAS S. WINNER, INC. D/B/A WINNER FORD, STATE CONTRACT NO. 88728, FOR THE PURCHASE OF POLICE VEHICLES FOR THE DEPARTMENT OF POLICE, IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$320,033.20**

**MARCH 10, 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 Chas S. Winner, Inc. d/b/a Winner Ford, for the Purchase of Police Vehicles, for the Department of Police, using NJ State Contract No. 88728, in the total maximum contract amount not to exceed \$320,033.20. A list of vehicles to be purchased is attached to this resolution as Schedule "A" and made a part of this resolution.

3. Funds for these purchases are available in Account No. 0-01- -S75-242. Contract with:

Chas S. Winner, Inc.  
d/b/a Winner Ford  
250 Haddonfield Berlin Road  
Cherry Hill, NJ 08034

State Contract No. 88728

Total Maximum Amount: \$320,033.20

Account No. 0-01- -S75-245

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) Chas S. Winner, Inc. d/b/a Winner Ford

**SCHEDULE "A"**

**"SEE ATTACHMENTS"**

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract for vendor with State contract, Chas S. Winner Inc. d/b/a Winner Ford, in the total maximum contract amount not to exceed \$320,033.20, are available in Account No. 0-01- -S75-242.

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: March 10, 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 \$18,573.90), RELEASING PERFORMANCE BOND, ACCEPTANCE OF  
MAINTENANCE BOND, AND AUTHORIZING FINAL PAYMENT AND RELEASING  
RETAINAGE TO CONTRACTOR, EARLE ASPHALT COMPANY, IN THE AMOUNT  
OF \$89,796.51, FOR THE CLOSEOUT OF THE BAY BREEZE AND SEA BREEZE  
DRIVE ROAD ELEVATION PROJECT**

**MARCH 10, 2020**

WHEREAS, resolution of the Township Council dated January 23, 2019, awarded a contract to Earle Asphalt Company, as low bidder meeting all the specifications, for the Bay Breeze and Sea Breeze Drive Road Elevation Project, in the maximum amount not to exceed \$2,251,213.13; and

WHEREAS, the contractor retained for the Bay Breeze and Sea Breeze Drive Road Elevation 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 \$89,796.51.
- b) Change Order No. 1 – Final - Executed by the contractor for a reduction in the contract amount of \$18,573.90.
- c) Original Maintenance Bond No. 825208117M with Earle Asphalt Company, as Principal and Federal Insurance Company, as Surety.

WHEREAS, Change Order 1 – to the contract with Earle Asphalt Company, Inc. to wit:

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

Final project closeout and adjustment of contract quantities – Net  
Reduction of \$18,573.90.

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$18,573.90)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$18,573.90)
Previous Change Orders	X	X
Total Change Orders to Date:	X	(\$18,573.90)
Total Change in Contract		(\$18,573.90)
ORIGINAL CONTRACT BID PRICE:	\$2,251,213.13	
NEW CONTRACT PRICE:	\$2,232,639.23	

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 Bay Breeze and Sea Breeze Drive Road Elevation Project, approval of Change Order No. 1 – Final, releasing Performance Bond, acceptance of Maintenance Bond, and authorizing final payment to contractor, Earle Asphalt Company, in the amount of \$89,796.51. Funds in the amount of \$89,796.51, are available in Account No. X-04- -230-001. 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) Earle Asphalt Company  
PO Box 556  
Farmingdale, NJ 07727

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the final payment/retainage to contractor, Earle Asphalt Company, in the amount of \$89,796.51, are available in Account No. X-04- -230-001.

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: March 10, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE  
SALE, AT AUCTION, OF CERTAIN REAL PROPERTIES NOT NEEDED  
FOR PUBLIC USE, PURSUANT TO N.J.S.A. 40A:12-22**

**MARCH 10, 2020**

**WHEREAS**, by resolution dated July 23, 2019, the Township of Toms River authorized the sale, by auction, of certain parcels of real property not needed for public use, listed as “Schedule A”, attached to that resolution and

**WHEREAS**, by the same resolution, the Township hired Max Spann R. E. & Auction Co.; 1325 Rt. 31 South; Annandale, N.J. 08801, to serve as auctioneer; and

**WHEREAS**, the Township has additional properties not needed for public use, to include in that auction, which are listed as Schedule “A” attached hereto; and

**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. Pursuant to N.J.S.A. 40A:12-22, the Township-owned properties listed on Schedule “A”, attached hereto, are not needed for public use, and are authorized to be sold at auction, as provided in the resolution dated July 23, 2019.

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) Business Administrator
- c) Chief Financial Officer
- d) Township Attorney
- e) Public Works Department
- f) Tax Assessor
- g) Tax Collector
- h) Department of Parks, Buildings & Grounds
- i) Department of Community Affairs  
Division of Local Government Services  
Attn: Director  
P.O. Box 803  
Trenton, N.J. 08625-0803
- j) Max Spann R. E. & Auction Co.  
1325 Rt. 31 South  
Annandale, N.J. 08801

**SCHEDULE “A”**

**BLOCK 1085.12, LOT 19**

**BLOCK 724.38, LOT 5**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN, TOWNSHIP ENGINEER, TO EXECUTE A NEW JERSEY DEPARTMENT OF TRANSPORTATION APPLICATION FOR DRAINAGE PERMIT FORM AND APPLICATION FOR HIGHWAY OCCUPANCY PERMIT FORM FOR DRAINAGE REPAIRS ALONG ROUTE 35 IN ORTLEY AND NORTH BEACH, AND AUTHORIZING PAYMENT FOR THE REQUIRED PERMIT FEES IN THE AMOUNT OF \$625.00**

**MARCH 10, 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

New Jersey Department of Transportation Application for Drainage Permit form and Application for Highway Occupancy Permit form for Drainage Repairs along Route 35 in Ortley and North Beach, and authorizing payment for the required permit fee for Drainage in the amount of \$230.00, and Highway Occupancy fee in the amount of \$395.00.

2. Funds for the payment for the required permit fee in the total amount of \$625.00, are available in Account No. X-04- -240-002. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk

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

- a) Township Attorney
- b) Chief Financial Officer
- c) Township Engineer
- d) State of New Jersey  
Department of Transportation  
PO Box 600  
Trenton, NJ 08625-0600  
Attn: Snehal Patel, P.E., PMP

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the required fees for Department of Transportation, for Drainage permit in the amount of \$230.00, and for Highway Occupancy permit in the amount of \$395.00, for a total combined amount of \$625.00, are available in Account No. X-04- -240-002.

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: March 10, 2020

## **R E S O L U T I O N**

**March 10, 2020**

WHEREAS, the Toms River Township Mayors Advisory Committee on Developmental Disabilities was created by Resolution of the then Township Committee dated May 13, 1992 and was known as the Advisory Committee on ADA Compliance; and

WHEREAS, qualified individuals have volunteered to serve the Township as members of the Toms River Township Mayors Advisory Committee on Developmental Disabilities;

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. With the advice and consent of the Council, the following appointments by the Mayor are confirmed to serve on the Mayor's Advisory Committee on Developmental Disabilities to serve for a term of one (1) year retroactive January 1, 2020 and terminating December 31, 2020:

Healthcare Organization Representatives:

Veronica Maier – TR Schools  
Leigh Simpson - NJID  
Diane Hutton-Rose – 21 Plus  
Gary Weitzen – POAC Autism Services  
Jessica Nylan – OCHD  
Keri Britske – CMC  
Adam Silversmith – TR Youth Services  
Megan Miller – Graham Behavior Services  
Chelsea Martin – Navigation Support Coordinator  
Patrick Sweeney – Children's Specialized Hospital  
Deborah O-Chat – Family Resource Network  
Elisa Velazquez – Ocean Pediatric Dental Association  
Tracey Fournier – TR Schools  
Andrea Papageorgiou – SEPAG

Residents:

Jane Tallmann  
Alice Belanger  
Paul Perillo  
Judith Strollo  
Christine Matus  
James Barberi  
Martha Cray

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

- a. Township Attorney
- b. Township Council Office
- c. Appointees listed above, who shall present themselves before the Township Clerk and take the Oath of Office before the appointment created hereby shall become effective.
- d. Mayor

**RESOLUTION APPOINTING MEMBERS  
OF THE TOWNSHIP OF  
TOMS RIVER MUNICIPAL ALLIANCE**

**March 10, 2020**

WHEREAS, the Mayor has recommended appointments to the Township of Toms River Municipal Alliance Committee and the Council has reviewed and consents to 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. The following person is hereby appointed as member of the Township of Toms River Municipal Alliance for the year 2020:

Michael Mailot  
1503 Oakmont Drive  
Toms River, NJ 08753

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

- a. Office of the Township Council
- b. Office of the Mayor
- c. Law Department
- d. Police Department
- e. Helen McGovern, Coordinator
- f. Appointed Members
- g. Rebecca Alfaro, County Coordinator  
Alcoholism & Drug Abuse Division  
175 Sunset Avenue  
PO Box 2191  
Toms River, NJ 08754

## **R E S O L U T I O N**

**March 10, 2020**

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

1. The following individual is hereby appointed as a Cashier-Clerk Full-Time, Grade 3, Office of the Township Clerk, with a salary of \$16.88 per hour retroactive to March 2, 2020:

Danielle Triolo

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

- a. Mayor
- b. Attorney
- c. Council
- d. Clerk's Office
- e. Human Resources
- f. Payroll
- g. Danielle Triolo

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEE FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 1099.41, LOTS 23 THRU 29 (Dewey Drive & Central Avenue)**

**March 10, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision Plan known as Block 1099.41, Lots 23-29.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$29,500.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$1,775.00 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 Terrence M. O'Grady/O'Grady Beach House, 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. Terrence M. O'Grady  
O'Grady Beach House, LLC  
12475 Keystone Island Drive  
North Miami, FL 33008

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEE FOR A MAJOR SITE PLAN KNOWN AS, BLOCK 529.04, LOT 16 (180 Route 37 West)**

**March 10, 2020**

WHREAS, the Township Engineer has reported to the Township Council with respect to a Major site Plan known as Block 529.04, Lot 16.

WHEREAS, Prformane Bonds have been posted as follows:

- 1) Surety Bond #S328150 in the amount of \$221,804.32 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$24,644.92 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$18,207.05 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 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 R. Stone & Co. Inc., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney



d. R. Stone & Co. Inc.  
432 Lakehurst Road  
Suite 2  
Toms River, NJ 08755

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 513.02, LOTS 1 AND 2 (1 Cedarwood Drive)**

**March 10, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 513.02, Lots 1 & 2.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #2291248 in the amount of \$11,600.00 which represents the ninety percent portion of the Performance Guarantee amount.
- 2) Check in the amount of \$1,240.00 which represents the ten percent portion of the Performance Guarantee amount.
- 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 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 Pinnacle Commercial Development, Inc., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Pinnacle Commercial Development, LLC  
3822 River Road (Rear Building)  
Point Pleasant, NJ 08742

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING A SAFETY AND STABILIZATION GUARANTEE FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 144, LOTS 1 AND 6 (99 Honey Locust Drive)**

**March 10, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 144, Lots 1 & 6.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.
- 2) 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 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 Michael Fish/Honey Locust 99, 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. Michael Fish  
Honey Locust 99, LLC  
1500 Pine Park Avenue  
Lakewood, NJ 08701

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS, BLOCK 411, LOTS 6.02 AND 6.03 (Oak Ridge Parkway)**

**March 10, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 411 Lots 6.02 & 6.03.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #K15385662 in the amount of \$59,340.60 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$6,593.40 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$121,085.28 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 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 Toms River Merchant Solar, 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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Toms River Merchant Solar, LLC  
5 Commerce Avenue  
West Lebanon, NH 03784

# RESOLUTION

March 10, 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>
15-20 Martin Wink	Taxi Driver (Renewal)	All Pro Taxi
14-20 Baljinder Singh	Taxi Driver (Renewal)	Ocean Taxi Service

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

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

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

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A FAIR AND OPEN PROFESSIONAL LEGAL SERVICE CONTRACT WITH THE LAW FIRM OF ARCHER & GREINER, PC, TO ADVISE, CONSULT, AND REPRESENT THE TOWNSHIP OF TOMS RIVER IN REDEVELOPMENT MATTERS, FOR A TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$20,000.00, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO ANY AND ALL DOCUMENTS, ASSOCIATED WITH THE CONTRACT APPROVED HEREUNDER**

**MARCH 10, 2020**

**WHEREAS**, the Township of Toms River has a need to obtain professional legal services to advise, consult, and represent the Township of Toms River in Redevelopment matters; and

**WHEREAS**, proposals were received and opened on February 5, 2020; and

**WHEREAS**, a proposal dated January 23, 2020, was received from:

Archer & Greiner, PC  
One Centennial Square  
Haddonfield, NJ 08033

**WHEREAS**, the law firm of Archer & Greiner, PC, has the needed experience and expertise to represent the Township of Toms River in redevelopment matters; and

**WHEREAS**, the law firm of Archer & Greiner, PC, has represented many townships, private developers, and public entities in redevelopment matters; and

**WHEREAS**, the Township Council has determined that it would be in the best interest of the Township of Toms River to retain the law firm of Archer & Greiner, PC, in these matters; and

**WHEREAS**, this award is provided through a fair and open basis and subject to campaign contribution reform laws as set forth in *N.J.S.A. 19:44A-20.5 et. seq.* and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*; and

**WHEREAS**, Archer & Greiner, PC, has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure form which certifies that the firm has not made any contributions in contravention of New Jersey's "Pay-to-Play Law", *N.J.S.A. 19:44A-20.5, et. seq.*, and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 *et. seq.*, and Archer & Greiner, PC, acknowledges that the contract will prohibit it from making any such contributions through the term of the contract; and

**WHEREAS**, recommendation has been made to award a contract to Archer & Greiner, PC, at the rate of \$200.00 per hour for any non-escrow redevelopment matters, and \$275.00 per hour for any escrowed matters paid for by redevelopers or prospective redevelopers, for a total contract amount not to exceed \$20,000.00, as per attached Proposal dated January 23, 2020. Term commencing March 11, 2020 through March 10, 2021:

1. It hereby awards a professional environmental legal counsel services contract to the law firm of Archer & Greiner, PC, to serve as legal environmental counsel to advise, consult and represent the Township of Toms River in redevelopment matters, at the rate of \$200.00 per hour for any non-escrow redevelopment matters, and \$275.00 per hour for any escrowed matters paid for by redevelopers or prospective redevelopers, for a total contract amount not to exceed \$20,000.00, contingent upon the adoption of the CY2020 budget, execution of a contract and availability of funds. Environmental Counsel will bill for any reasonable and approved out-of-pocket expenses related to the provision of this service. Funds in the amount of \$20,000.00, are available in Account No. 0-01- -L21-534. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. This contract will be effective commencing March 11, 2020 through March 10, 2021.

3. The Mayor is hereby authorized to execute and the Township Clerk to attest an agreement, and all documents associated with the contract approved hereunder.

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 Maurice B. Hill, Jr.
- b) Township Council
- c) Chief Financial Officer
- d) Business Administrator
- e) Township Attorney
- f) Township Planner
- g) Archer & Greiner, PC  
One Centennial Square  
Haddonfield, NJ 08033  
Attn: Christopher R. Gibson, Esq.

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract with Archer & Greiner, PC, in the maximum contract amount not to exceed \$20,000.00, are available in Account No. 0-01- -L21-534.

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

**ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER**

Dated: March 10, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL  
OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW  
JERSEY, THAT ALL OR PORTIONS OF BLOCK 608, LOT 19.01  
SATISFY THE CRITERIA TO BE DESIGNATED AS AN AREA IN NEED  
OF REDEVELOPMENT WITHOUT THE POTENTIAL USE OF  
CONDEMNATION**

**MARCH 10, 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

**WHEREAS**, by resolution dated January 28, 2020, and pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”), the Township Council of the Township of Toms River directed the Planning Board of the Township of Toms River to conduct a preliminary investigation and public hearing; and

**WHEREAS**, as required by *N.J.S.A. 40A:12A-6*, the Planning Board held a public hearing on Wednesday, February 19, 2020 to determine whether all or part of the Hooper-Caudina Study Area is an area in need of redevelopment in accordance with the

Redevelopment Law; and

**WHEREAS**, the Board has considered a redevelopment study report for Block 608, Lot 19.01 Study Area prepared by the professional planning staff of the Ocean County Planning Board, dated December, 2019 (“the Study”); and

**WHEREAS**, the Board has considered the presentation of Steven J. Simone, AICP/PP, Principal Planner, and Mark Villinger, AICP/PP, Supervising Planner, for the Ocean County Planning Board, who prepared said Study and testified at said hearing, and has also considered the comments of David G. Roberts, AICP/PP, LLA, LEED AP ND, Township/Board Planner and other persons given at the public hearing; and

**WHEREAS**, the Planning Board made the following findings and recommendations:

a. The Block 608, Lot 19.01 Study Area includes approximately 10 acres and consists of a portion of the Dover Esplanade Office Park.

b. The report provided by the Ocean County Planning Board staff documents serious substandard conditions within the office buildings currently on Block 608, Lot 19.01 as well as other deficiencies identified in a report prepared for the County by Yezzi Architects. Testimony on the record at the public hearing included portions of one the office buildings to be closed due to mold problems that posed a health hazard. Other conditions documented in the County’s report document faulty construction.

c. The Board agrees with the conclusions of the Ocean County Planning Board report that the buildings on Lot 19.01 exhibit substandard conditions from deferred maintenance and faulty construction that are substandard and which create unwholesome working conditions under Criterion “a”.

d. The Board also agrees with the conclusions of the Ocean County Planning Board report and finds that the existing arrangement and design of the buildings and improvements on Lot 19.01 is obsolete and creates a detrimental impact on the safety of employees and visitors due to the separation between office buildings by large parking fields without accommodations for pedestrian circulation. This obsolete arrangement and faulty design of the buildings and parking fields forces pedestrians to walk between offices in different buildings across large parking lots and meets the conditions under Criterion “d”.

e. The Board agrees with the conclusions of the Ocean County Planning Board and finds that the entirety of Lot 19.01 is situated within the Hooper Avenue South Core Center under the Township’s Endorsed Plan consistent with Criterion “h”.

f. The Board also finds that the effective redevelopment of the property is dependent on close coordination between the Township and County in the simultaneous redevelopment of the rest of the Hooper-Caudina Redevelopment Area, with particular emphasis on the planning of the interior road and pedestrian circulation network, connections to Hooper Avenue and the Seacourt Pavilion Shopping Center.

g. Based on the findings above, the Planning Board of the Township of Toms River recommended to the Council of the Township of Toms River that Block 608, Lot 19.01 should be added to the Hooper-Caudina Redevelopment Area, but designated as an area in need of redevelopment without the potential for the use of Eminent Domain, otherwise referred to in the Local Redevelopment and Housing Law as a “Non-Condensation Redevelopment Area”.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Toms River as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Council hereby accepts the findings and recommendations of the Planning Board and designates Block 608, Lot 19.01 as an Area In Need of Redevelopment pursuant to *N.J.S.A. 40:12A-5(a)*, (d) and (h), as well being necessary for the effective redevelopment of the Hooper-Caudina Redevelopment Area and Block 608, Lot 19.01. Block 608., Lot 19.01 shall not include the potential for the use of Eminent Domain,

otherwise referred to in the Local Redevelopment and Housing Law as a “Non-Condemnation Redevelopment Area”.

3. A copy of this resolution shall be available for public inspection at the offices of the Township and be forwarded to the Commissioner of the New Jersey Department of Community Affairs.
4. This Resolution shall take effect immediately.
5. Notice of this determination shall be served, within 10 days of the adoption of this Resolution, upon all record owners of property located within the delineated area and upon any person who filed a written objection thereto and provided an address to which notice of determination may be sent.
6. 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) Township Planner
  - f) Chief Financial Officer
  - g) Mark Villinger, AICP/PP  
Supervising Planner  
Ocean County Planning Board  
PO Box 2191  
Toms River, NJ 08754
  - h) Commissioner  
New Jersey Department of Community Affairs.

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 adopted by the Township Council at a meeting held on the 10<sup>th</sup> day of March , 2020.

\_\_\_\_\_  
Alison Carlisle  
Municipal Clerk

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING MAYOR MAURICE B. HILL, JR., TO EXECUTE A LETTER OF ENGAGEMENT WITH JOHN F. MULLEN, ESQ., OF THE LAW FIRM OF MULLEN COUGHLIN LLC, IN CONNECTION WITH A CERTAIN TOWNSHIP MATTER**

**MARCH 10, 2020**

**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. Mayor Maurice B. Hill, Jr., is authorized to execute the attached Letter of Engagement, retroactive to March 5, 2020, with John F. Mullen, Esq., of the law firm of Mullen Coughlin LLC, in connection with a certain Township matter.

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) IT Department
- g) John F. Mullen, Esq.  
Mullen Coughlin LLC  
1275 Drummers Lane  
Suite 302  
Wayne, PA 19087

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AUTHORIZING MAYOR MAURICE B. HILL, JR., TO  
EXECUTE AN ARRANGEMENT LETTER WITH THE FIRMS OF ACCENTURE LLP, THE LAW  
FIRM OF MULLEN COUGHLIN LLC, AND THE TOWNSHIP OF TOMS RIVER, IN  
CONNECTION WITH A CERTAIN TOWNSHIP MATTER**

**MARCH 10, 2020**

**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. Mayor Maurice B. Hill, Jr., is authorized to execute the attached Arrangement Letter, retroactive to March 6, 2020, with the firms of Accenture LLP, the law firm of Mullen Coughlin LLC, and the Township of Toms River, in connection with a certain Township matter.

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) IT Department
- g) John F. Mullen, Esq.  
Mullen Coughlin LLC  
1275 Drummers Lane  
Suite 302  
Wayne, PA 19087
- h) Accenture LLP  
161 North Clark Street  
Chicago, IL 60601

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



**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AUTHORIZING TOWNSHIP OF TOMS RIVER CHIEF  
OF POLICE, MITCHELL A. LITTLE, TO ENTER INTO AND EXECUTE A MEMORANDUM  
OF UNDERSTANDING FOR LAW ENFORCEMENT AGENCY SECURITY  
ENHANCEMENT PROGRAM, BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE  
NEW JERSEY DIVISION OF PURCHASE AND PROPERTY (ON BEHALF OF THE NEW  
JERSEY MOTOR VEHICLE COMMISSION), FOR SECURITY COVERAGE OF THE TOMS  
RIVER MOTOR VEHICLE COMMISSION AGENCY LOCATED AT 1861 HOOPER  
AVENUE, TOMS RIVER, NEW JERSEY**

**MARCH 10, 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 Toms River Township Police Chief Mitchell A. Little, to enter into and execute a Memorandum of Understanding - Law Enforcement Agency Security Enhancement Program, between the Township of Toms River and the State of New Jersey, Division of Purchase and Property (on behalf of the New Jersey Motor Vehicle Commission), for security coverage of the Toms River Motor Vehicle Commission Agency located at 1861 Hooper Avenue, Toms River, NJ 08753.

2. Term of Contract shall be for one (1) year renewable annually. The Motor Vehicle Commission shall pay to the Township of Toms River, an annual sum of \$129,929.28, payable in twelve (12) equal monthly installments, with the first payment due July, 2020.

3. A copy of the Memorandum of Understanding is attached to this resolution, as Schedule "A" and made a part hereof.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Chief Financial Officer
- d) Township Attorney
- e) Police Department, Attn: Chief Mitchell Little
- f) State of New Jersey, Division of Purchase and Property  
33 West State Street  
PO Box 230  
Trenton, NJ 08625-0230
- g) Latrecia Littles-Floyd, Director  
MVC Security & Investigations  
225 East State Street  
PO Box 175  
Trenton, NJ 08666-0175

**SCHEDULE "A"**

**"SEE ATTACHMENTS"**

**REPORTS**

	2020	2019
Bey Lea Golf Course – February	\$6,857.45	\$21,377.72
Bey Lea Golf Course – YTD through February	\$8,105.09	\$57,304.24
Winding River Ice Rink – February	\$85,961.00	\$83,245.70
Winding River Ice Rink – YTD through February	\$198,702.00	\$186,657.71
Building Permits - February	\$214,381.00	\$233,954.00
Building Permits – YTD through February	\$649,553.00	\$439,675.00

**APPROVAL OF BILLS**

Council President Maruca asked for a report on the bills.

The Bill List, dated **March 6, 2020** was approved on motion by Council Member Turnbach, seconded by Council Member Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes. The following respective exceptions to their votes were noted as abstentions to this vote:

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

Purchase Order 19-00994, payable to Gregory McGuckin, Esquire, in the amount of \$256.50.

Purchase Order 20-01025, payable to NJ MVC Lease in the amount of \$4,348.00.

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 19-00248, payable to Remington & Vernick Engineers in the amount of \$3,649.25.

Purchase Order 20-01025, payable to Recreation Salaries in the amount of \$8,547.96.

Purchase Order 19-06094, payable to Rutgers State University in the amount of \$1,375.00

Purchase Order 20-00992, payable to Rutgers University, Center for Education in the amount of \$831.00.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 20-00852, 20-00853, 20-00854, 20-00855 & 20-00856, payable to Owen Little & Association Inc., in the amount of \$11,872.50.

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 19-00994, payable to Gregory McGuckin, Esquire, in the amount of \$256.50.

Purchase Order 20-01025, payable to Magistrate Salaries in the amount of \$7,499.70.

Purchase Order 20-00485, payable to Citta, Holzapfel, Zabarsky in the amount of \$7,750.00.

Purchase Order 20-00353, payable to John & Jamie M Sudia in the amount of \$1,000.00.

Purchase Order 20-00477, payable to William & Dana Dietlmeier in the amount of \$669.73.

**2020 Budget Hearing for Toms River Fire District No. 2**

Council President Maruca Council Members Kevin Geoghegan and Joshua Kopp to step off dais during the 2020 Budget Hearing due to conflict.

Brian Geoghegan, Chairman of Board, presented budget for hearing of District 2. He spoke regarding budget defeated by voters and about current status of their budget.

The following resolution was considered by Council.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONCURRING, CONFIRMING AND ESTABLISHING THE AMOUNT OF THE 2020 BUDGET OF FIRE DISTRICT NO. 2 PURSUANT TO N.J.S.A. 40A:14-78.5**

**MARCH 10, 2020**

**WHEREAS**, on February 22, 2020, the annual election was held for Fire District No. 2, wherein its proposed 2020 budget was submitted to the voters residing in Fire District No. 2 for approval, pursuant to N.J.S.A. 40A:14-72 ; and

**WHEREAS**, the budget proposal submitted to the voters was in the amount of \$3,419,207.00; and

**WHEREAS**, the majority of voters of Fire District No. 2 rejected the proposed 2020 budget; and

**WHEREAS**, the Township Council of the Township of Toms River reviewed the budget pursuant to N.J.S.A. 40A:14-78.5, and finds and determines that the appropriate budget amount for 2020 is \$3,419,207.00, with no reduction from the proposed budget rejected by the voters, as follows:

<b>Revenue:</b>	From
Amount to be Raised by Taxation to Support Budget	\$2,834,415.00

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Toms River, Ocean County, New Jersey, with a majority of the full membership of the Township Council concurring, as follows:

1. In accordance with N.J.S.A. 40A:14-78.5, the Township Council finds and determines that the appropriate budget for 2020 is \$3,419,207.00, which constitutes no reduction in the budget submitted for voter approval, and the final amount to be raised by taxation to support the 2020 budget is \$2,834,415.00, as reflected in its budget document attached as Schedule "A".

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) Township Attorney
- d) Business Administrator
- e) Chief Financial Officer
- f) Toms River Township Fire District #2
- g) Toms River Township Fire Bureau

- h) Board of Fire Commissioners
- i) Department of Community Affairs  
Division of Local Government Services  
101 South Broad Street  
PO Box 803  
Trenton, NJ 08625-0803

**SCHEDULE "A"**

**"SEE ATTACHMENTS"**

Council President Maruca opened up floor for Public Comment.

**PUBLIC COMMENTS**

None

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 Lotano, seconded by Council Member Turnbach and carried with the following votes to approve the resolution listed above, with Councilmen Kopp and Vice-President Geoghegan abstaining..

Councilwoman Huryk	Yes
Councilman Lotano	Yes
Councilman Rodrick	Yes
Councilman Turnbach	Yes
Council President Maruca	Yes

Township Administrator Guardian, and Council Members Kevin Geoghegan and Joshua Kopp returned to the dais at 6:30 p.m.

**ELECTED OFFICIALS COMMENTS**

Mayor Hill read across America; opening a the Adler Aphasia Center at Church of Grace and Peace, and pancake breakfast at Applebee's for Code Blue.

Councilman Lotano proposing a resolution for a town wide efficiency audit.

Councilman Rodrick explained his three no's in his votes today, and proposing a resolution to support a second amendment for the public.

Councilman Kopp recommends live audit of township and audit for Toms River School Systems.

Councilwoman Huryk spoke regarding "Puffs" being produced by Exit 82; police department conducting neighborhood watch meeting, and spoke on second amendment support.

Councilman Geoghegan thanked everyone for coming out to support local government; comments on where Toms River falls in ratings of tax rate, and condolences to Michael Forentino family.

Councilman Turnbach commend newly elected officials on idea of efficiency study; today is Jewish holiday (Purim) and wish them a happy healthy safe holiday. He also spoke of brewery next to Capone's opening on April 1, 2020, and congratulate to Family First Funding – best places to work by Business Week.

Councilwoman Maruca propose look into possibly well contract for testing of home wells, a group rate, for residents to have option to use discounted rate, if DEP not already doing it. She also expressed condolences to the Forentino family and John Broome, husband of Shirley Broome.

## **PUBLIC COMMENTS**

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

Amy Lee Dainty Hazlet Avenue, Hazlet, NJ, Volunteer from MON/OC Chapter of "Moms Demand Action" asked council to pass resolutions tightening gun laws for family safety. Councilman Rodrick gave his opinion.

Ron Rudnicki spoke regarding gun laws and second amendment rights.

Chris Raimann applauded Council President Maruca, supported idea to do a Toms River School Audit.

Theresa Turner, Spring Lake, NJ spoke of hate crime and is in favor of Red Flag Laws.

Artis Cohen, 492 Eagle Point Drive, favor second amendment and is a law abiding citizen. Discussion ensued.

Dan Valentine said he is running for Freeholder, and support the second amendment. Discussion ensued.

No further comments from the public appearing, a motion was made by Council Member Turnbach, seconded by Council Member Geoghegan, 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:

## **R E S O L U T I O N**

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

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

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

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

Matters of Personnel  
Matters of Litigation  
Land Acquisitions  
Contract Negotiations

3. The following specific topics were announced.

1. Executive Session Minutes: February 25, 2020 Regular Meeting
2. Personnel Issues

3. Review of status of all real property acquisitions. (voluntary acquisitions and eminent domain actions)
4. Acquisition and/or exchange of real property on Water Street-Fire Company.

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 following resolution was approved on the following roll call vote.

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

The Council **reconvened** the public portion at 7:55 P.M., 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 Present Maruca voting yes.

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

**RESOLUTION APPROVING  
EXECUTIVE SESSION MINUTES**

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

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

The following Executive Session Minutes are approved:

**February 25, 2020 Regular Meeting**

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

No other business appearing, the meeting was **adjourned** at 8:02 P. M., on motion with Council Member Geoghegan, seconded by Council Member Lotano, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes.

\_\_\_\_\_  
MARIA L. MARUCA, COUNCIL PRESIDENT

\_\_\_\_\_  
ALISON CARLISLE, TOWNSHIP CLERK