

March 31, 2020

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

The meeting was called to order by Council President Maruca and opened with the salute to the Flag.

Council President Maruca read the following statement pursuant meeting notice to the Open Public Meetings Act:

OPEN PUBLIC MEETINGS ACT
STATEMENT

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Friday, March 27, 2020 and forwarded to the Toms River Patch and WOBN News on Wednesday, March 25, 2020, and thereafter posting same on the Town Hall bulletin board for such notices. The meeting has 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

Public service announcement by Kim Kidano, President & CEO, for Ocean County for filling food bank.for resident.

APPROVAL OF MINUTES

A motion was made by Council Member Turnbach, seconded by Council Member Lotano, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes, to approve the **Regular Meeting of March 10, 2020**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

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

RESOLUTION TO AMEND THE 2020 TEMPORARY BUDGET
PURSUANT TO N.J.S.A. 40A:4-20
March 31, 2020

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

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

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

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

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

Approved as to Content:

“See attachments”

A motion was made by Council Member Kopp, 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, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, CERTIFYING COMPLIANCE WITH THE UNITED
STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
“ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND
CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF
THE CIVIL RIGHTS ACT OF 1964,” PURSUANT TO N.J.S.A. 40A:4-5.**

MARCH 31, 2020

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183, requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the Township Council have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto as Schedule “A”:

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

- 1.____ The Township Council of the Township of Toms River hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance.
- 2.____ The Township Clerk is hereby directed to maintain and make available for inspection a certified copy of this resolution and the fully-executed affidavit to show evidence of said compliance.

3. ___ The Chief Financial Officer shall file a certified copy of this resolution and the original, fully-executed affidavit to the Division of Local Government Services as required by law.
4. ___ A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B. Hill, Jr.
 - b) Township Council
 - c) Business Administrator
 - d) Chief Financial Officer
 - e) Township Attorney

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON MARCH 31, 2020.

Township Clerk

GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF OCEAN

We, members of the governing body of the Township of Toms River being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Council of the Township of Toms River in the county of Ocean;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

MARIA MARUCA, Council President, Ward 1

KEVIN GEOGHEGAN, Council Vice-President-at-Large

LAURIE HURYK, Councilwoman, Ward 3

JOSHUA KOPP, Councilman-at-Large

DANIEL RODRICK, Councilman, Ward 2

TERRANCE TURNBACH, Councilman, Ward 4

MATTHEW LOTANO, Councilman-at-Large

Sworn to and subscribed before me this
_____ day of _____
Notary Public of New Jersey

Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

A motion was made by Council Member Turnbach, seconded by Council Member Kopp, 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 LIMITING THE TIME PERIOD FOR PUBLIC COMMENT TO THIRTY (30) MINUTES IN THE EVENT A MEETING OF THE TOWNSHIP COUNCIL IS HELD BY VIDEO WITH CALL-IN-ACCESS

MARCH 31, 2020

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

1. The time period for public comment is limited to thirty (30) minutes in the event a meeting of the Township Council meeting is held by video with call-in-access.

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

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

Introduction of Township 2020 Municipal Budget

A motion was made by Council Member Turnbach, seconded by Council Member Geoghegan and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and Council Member Rodrick voting no, **to introduce 2020 Municipal Budget.**

Council President Maruca announced presentation by Township Administrator Guardian.

Council Members Maruca and Turnbach spoke regarding the budget.

Council Member Rodrick ask questions to Township Administrator Guardian.

Council Member Turnbach said Council Member Rodrick should ask questions at the Sub Committee Meetings.

No further comments from the public appearing, the **public portion was closed.**

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 following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, INTRODUCING, APPROVING, AND
ESTABLISHING THE DATE FOR A PUBLIC HEARING ON THE 2020 TOMS RIVER
SPECIAL IMPROVEMENT DISTRICT BUDGET**

MARCH 31, 2020

WHEREAS, pursuant to N.J.S.A. 40:56-84a, the Toms River Township Special Improvement District Budget submitted to the Township Council its 2020 budget, as set forth in Schedule "A", attached hereto and incorporated by reference; and; and

WHEREAS, N.J.S.A. 40:56-84c mandates a public hearing on this budget within specified time frames;

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

1. The 2020 Toms River Special Improvement District Budget, attached hereto as Schedule "A", and incorporated by reference, is hereby introduced and approved in accordance with N.J.S.A. 40:56-84c.
2. Pursuant to N.J.S.A. 40:56-84e, the public hearing on the budget will be held at the Toms River Township Council Meeting, scheduled as follows:

Tuesday, April 28, 2020, 6:00 p.m.
Toms River Municipal Building
33 Washington Street
Toms River, NJ 08753
L. Manual Hirshblond Meeting Room

At this meeting, the public shall be heard and the Township Council shall consider said budget for final adoption. Formal action may be taken.

3. Pursuant to N.J.S.A. 40:56-84d, a copy of this resolution, including Schedule "A", shall be published in the Asbury Park Press, posted on the Township Clerk's bulletin board and on the Township web page no later than 10 days prior to the scheduled public hearing date.
4. After final adoption, a certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Chief Financial Officer
 - b) Township Attorney
 - c) Township Auditor
 - d) Township Tax Assessor
 - e) Township Tax Collector

- f) Ocean County Board of Taxation
- g) Alizar Nicholas Zorojew
Toms River Business Improvement District
53 Main Street
Toms River, N.J. 08753

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

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING THE ADMINISTRATIVE CODE OF THE TOWNSHIP OF TOMS RIVER TO RE-ESTABLISH THE DEPARTMENT OF LAW AND ELIMINATING CHAPTER 40-11 ENTITLED “DIVISION OF LAW”.

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

SECTION 1

In accordance with Article III of the Township Code of the Township of Toms River, the Township Council had previously adopted an Administrative Code pursuant to Ordinance 3884-04, on June 22, 2004. In accordance therewith, Chapter 23 entitled “Administrative Organization” was established creating various departments, including a Department of Law & Community Development. Thereafter, pursuant to Ordinance 4136-08 and Ordinance 4302-11, the Township Council of the Township of Toms River established the “Division of Law” as set forth in Chapter 40-11, thereby eliminating the Department of Law, and placing the Division of Law within the Department of Administration. It is the purpose of this Ordinance to reaffirm and reestablish as a separate department within the Township a Department of Law as originally envisioned pursuant to Ordinance 3884-04.

SECTION 2

Chapter 23-1 entitled “General Plan” be and hereby is amended to delete under § 23-1A(5) “Department of Law & Community Development”, and replace same with “Department of Law”.

SECTION 3

§ 49-1 Creation of Department of Law; Director

There is hereby recreated within the Township Code the Department of Law, the head of which shall be the Township Attorney. The Township Attorney shall represent the Municipality in all legal matters and shall report directly to the Mayor and provide counsel to the Township Governing Body as requested. The person appointed as Township Attorney need not be a Township employee. In that instance, the Township Attorney shall not be entitled to any health or pension benefits as an employee and shall submit an annual contract to be approved by the Township Council.

§ 49-2 Term and Appointment

The term of the Director of the Department of Law shall be as provided for in the Optional Municipal Charter Law. He or she shall be appointed by the Mayor with the advice and consent of Council. In order to secure a person with prior experience and proper professional qualifications for the office, the Director of Law shall be a licensed attorney of the State of New Jersey and shall have been so admitted for a period of not less than five (5) years. The Director shall have either served as a Director of a Department of Law of a Municipality in the State of New Jersey, or as a Township Attorney for a municipality in the State of New Jersey, for a period of not less than three (3) years. In lieu of serving in office, the individual may submit to the Mayor and Council sufficient information to demonstrate his or her experience and expertise in the field of Municipal Law.

§ 49-3 Powers and Duties of the Director of Law

The Township Attorney shall be legal advisor to the Mayor, Township Council and all departments, except as otherwise provided by the Charter or the Township Code. He or she

shall prosecute and defend the actions and proceedings by and against the Township and every department thereof. In furtherance of these general powers, without limitation thereto, he or she shall:

1. Advise the Township Council and its members, the Mayor and other officers of the Township as to all matters which may be submitted for his or her opinion.
2. Review and approve all contracts, deeds, documents and instruments prior to the execution thereof by or on behalf of the Township.
3. Institute litigation and conduct appeals from orders, decisions or judgments affecting any interest of the Township as he or she may in his or her discretion determine to be necessary or desirable, subject to the approval of the Township Council.
4. Subject to the approval of the Township Council, have the power to enter into any agreement, compromise or settlement of any litigation in which the Township is involved.
5. Render written opinions upon any question of law submitted to him or her by the Mayor, Township Council, Business Administrator, Municipal Clerk, Tax Assessor or the head of any department in a prompt manner.
6. Maintain a record of all actions, suits, proceedings and matters which relate to the Township's interest, and report thereon from time to time as the Mayor or Township Council may require.
7. Have such other powers and duties as provided by the Charter, Township Code or other Ordinance.
- 8.

§ 49-4 Assistant Township Attorney

There is hereby created the position of Assistant Township Attorney. The Assistant Township Attorney or Attorneys shall assist the Township Attorney in his or her duties pursuant to the provisions of this chapter as legal advisor to the Mayor, Township Council and all other departments, except as otherwise provided by the Charter or Township Code. Any Assistant Township Attorney shall be an Attorney at Law admitted to the practice of law of the State of New Jersey. Any Assistant Township Attorney shall be appointed by the Director of the Department of Law and may be appointed to a full time or part time position as employees of the Municipality as directed by the Mayor. The appointment of any Assistant Township Attorney must be approved by Council.

§ 49-5 Special Counsel

Special Counsel may be appointed to handle specific litigation or matters. The Township Attorney shall provide his or her recommendation to the Mayor and Township Council. Special Counsel may only be appointed by Resolution of the Governing Body. Such appointment shall be on a contractual basis and be subject to approval by the Township Council. All appointments made shall be in accordance with the requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.

SECTION 4

Chapter 40-11 entitled "Division of Law" be and hereby is repealed.

SECTION 5

Chapter 23-6 shall be amended to include the following at the conclusion of this section: "This provision shall not apply to the Township Attorney or any part time employees of the Township's Law Department."

SECTION 6

Chapter 23-7 shall be amended to include a new provision as follows: "This provision shall not apply to the Township Attorney if that position is filled by someone who is not an employee of the Municipality."

SECTION 7

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

SECTION 8

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

SECTION 9

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

SECTION 10

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

TOWNSHIP OF TOMS RIVER TOWNSHIP

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE 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

PURPOSE: TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF THE TOWNSHIP CODE TO RESTRUCTURE CERTAIN ADMINISTRATIVE DEPARTMENTS OF THE TOWNSHIP GOVERNMENT

NOTICE IS HEREBY GIVEN that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on Tuesday, March 24, 2020 at 6:00 p.m. It was considered for final passage at a public meeting held on April 14, 2020 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this Ordinance. Prior to the second reading, a copy of this Ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's Office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE
TOWNSHIP CLERK

APPROVED AS TO FORM:

ANTHONY MERLINO
ASSISTANT TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WAHSINGTON STREET
TOMS RIVER, NJ 08753

A motion was made by Council Member Geoghegan, seconded by Council Member Kopp and carried, with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick voting no, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the

Township of Toms River, in the County of Ocean, New Jersey, held on March 31, 2020 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on April 14, 2020 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE
TOWNSHIP CLERK

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

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, April 1, 2020.

Ordinance was adopted on first reading with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick voting no.

CONSENT AGENDA

Township Clerk Carlisle 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 Geoghegan, seconded by Council Member Lotano, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes, to approve all the following items listed on the Consent Agenda, except item **G, H, J, L, Q, and R**, which were done separately.

RESOLUTION

MARCH 31, 2020

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

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>
PEAGUS TITLE AGENCY, LLC	443.22	17	2019/4	\$1,153.99
SANDSPELL PROPERTIES & MANAGEMENT	401.05	6	2019/4	1,380.68
WELLS FARGO REAL EST TAX SERV	442.31	11	2020/2	1,705.08
TOTALS:				\$4,239.75

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 31, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES FOR THE YEAR (S) INDICATED, DUE TO A VETERANS DEDUCTION BEING REFUNDED;

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>
JOSEPH & ANDREA RUMSEY	442.53	34	2019/4	\$ 250.00

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, AUTHORIZING AN AMENDED PROFESSIONAL
SERVICES CONTRACT WITH THE FIRM OF BRIGHT VIEW ENGINEERING, LLC, TO
INCREASE THE SCOPE OF WORK FOR TRAFFIC PLANNING SERVICES WITH REGARD
TO THE TOMS RIVER DOWNTOWN REDEVELOPMENT PLAN, IN THE ADDITIONAL
AMOUNT OF \$13,933.75, FOR ADDITIONAL INFORMATION REQUESTED BY THE
COUNTY OF OCEAN, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE
TOWNSHIP CLERK TO ATTEST TO AN AMENDED AGREEMENT WITH BRIGHT VIEW
ENGINEERING, LLC**

MARCH 31, 2020

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

WHEREAS, resolution dated May 14, 2019, increased the Scope of Work for Bright View Engineering LLC, in connection with the Downtown Loop Traffic Study based on additional traffic count data requested by the County of Ocean, for an additional amount of \$34,900.00; and

WHEREAS, resolution dated October 8, 2019, further increased the Scope of Work for Bright View Engineering LLC, in connection with the Downtown Loop Traffic Study, for re-calibration of the traffic model from updated traffic counts requested by the County and updated proposed modeling as per recent proposals from the developer, for an additional amount of \$45,000.00; and

WHEREAS, due to additional information which has been requested by the County of Ocean, the contract with Bright View Engineering, LLC, is further amended, in connection with the Downtown Loop Traffic Study, for an additional amount of \$13,933.75, per Invoice No. 191452-1, submitted by Bright View Engineering, LLC;

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

1. It hereby authorizes a further amendment to the contract with Bright View Engineering, LLC, for the Downtown Loop Traffic Study, for additional information requested by the County, per Bright View Engineering LLC Invoice No. 191452-1, in the additional amount of \$13,933.75, and funds are available in Account No. X-04- -230-002 for this purpose.

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

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Engineering Division
- h) Township Planner
- i) Bright View Engineering LLC
5 Pitcairn Drive
Roseland, NJ 07068

AMENDED CERTIFICATION

THIS IS TO CERTIFY that the funds for the amended contract with Bright View Engineering, LLC, in the amount of \$13,933.75 are available in Account No. X-04- -230-002.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: March 31, 2020

SCHEDULE "A"

"SEE ATTACHMENTS"

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE FOR AND RECEIVE BIDS FOR RESIDENTIAL WELL TESTING SERVICES

MARCH 31, 2020

WHEREAS, the Township of Toms River is desirous of receiving bid(s) for the following items/project:

RESIDENTIAL WELL TESTING SERVICES

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

1. The Purchasing Division is hereby authorized to prepare bid specifications for the above-mentioned items/project.
2. The Purchasing Division of the Township of Toms River is hereby authorized to advertise for the receipt of bids for the above-mentioned items/project.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Township Attorney
 - d) Engineering Division

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING RESOLUTION DATED SEPTEMBER 24, 2019, RESCINDING AWARD OF CONTRACT TO W.B. MASON CO., INC., FOR ITEM NO. 130, ONLY, (THE BIDDER WITHDREW THE ITEM DUE TO AN ERROR IN BIDDING) (QUOTES WILL BE OBTAINED PRIOR TO PURCHASE, AS NEEDED, FOR THE DURATION OF THE CONTRACT TERM)

MARCH 31, 2020

WHEREAS, resolution of the Township Council of the Township of Toms River dated September 24, 2019, awarded open-ended contracts for Janitorial Supplies to various vendors for a term commencing September 25, 2019 through September 24, 2020; and

WHEREAS, Item No. 130 was awarded to W.B. Mason Co., Inc.; and

WHEREAS, the bidder has notified the Township that they are withdrawing Item No. 130 due to an error in bidding; and

WHEREAS, the Division of Purchasing is requesting authorization to rescind the award for Item No. 130 from the Janitorial Supplies contract with W. B. Mason Co., Inc.; and

WHEREAS, quotes will be obtained prior to purchase, as needed, for the duration of this contract; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to effectuate the change, as stated above;

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 rescinds the award of contract for Item No. 130, which item was awarded to W. B. Mason Co., Inc., per resolution dated September 24, 2019 for Janitorial Supplies, due to an error in bidding.

2. Quotes will be obtained prior to purchase, as needed, for the duration of this contract.

3. All other terms and conditions of the resolution dated September 24, 2019 shall remain unchanged, and in full force and effect.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Parks, Buildings & Grounds
- e) W. B. Mason Co., Inc.
300 Prospect Plains Road
Cranbury, NJ 08512

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF TWO (2) TRACK LOADERS FOR THE DEPARTMENT OF PUBLIC LANDS, FROM EQUITECH LLC, BOBCAT OF CENTRAL JERSEY, UTILIZING ESCNJ COOPERATIVE CONTRACT, #18/19-25, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$90,527.53

MARCH 31, 2020

WHEREAS, the Township of Toms River is a member of the Educational Services Commission of New Jersey #18/19-25, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, pursuant to bids received, a contract was awarded to Equitech LLC, Bobcat of Central Jersey by the Educational Services Commission of New Jersey, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, the Purchasing Division is requesting authorization to purchase Two (2) Track Loaders for the Department of Public Lands, utilizing Educational Services Commission of New Jersey, Contract #18/19-25, in the total contract amount not to exceed \$90,527.53, from the following vendor:

Equitech LLC
Bobcat of Central Jersey
999 Route 33
Freehold, NJ 07728

Contract # 18/19-25

<u>Item No.</u>	<u>Description</u>	<u>Price</u>
M0277	T740 T4 Bobcat Compact Track Loader	\$54,821.60
M0277-P01-A91	A91 Option Package	\$ 9,128.00
M0-277-R01-C04	Selective Joystick Controls	\$ 756.00
M0277-R51-C02	Telematics US (no charge)	\$ -0-
7207862	96" Snow Blade – Heavy Duty	\$ 3,532.60
M0113	Mini Track Loader	\$21,861.60
M0113-R02-C01	Bobtach Interface (no charge)	\$ -0-
7281909	Light Kit, Mini Track Loader (Dealer Installed)	\$ 427.73
TOTAL:		\$90,527.53

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 Two (2) Track Loaders for the Department of Public Lands from Equitech LLC, Bobcat of Central Jersey, in the total contract amount not to exceed \$90,527.53, utilizing Educational Services Commission of New Jersey, Contract #18/19-25, as stated above.

2. Funds in the amount of \$90,527.53 are available in Account No. X-04- -248-002

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 Lands
- e) Equitech LLC
Bobcat of Central Jersey
999 Route 33
Freehold, NJ 07728

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Equitech LLC, Bobcat of Central Jersey, in the total contract amount not to exceed \$90,527.53, are available in Account No. X-04- -248-002.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: March 31, 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 \$5,014.93), RELEASING PERFORMANCE BOND, ACCEPTANCE OF
MAINTENANCE BOND, AND AUTHORIZING FINAL PAYMENT TO
CONTRACTOR, J.C. CONTRACTING, INC., IN THE AMOUNT OF \$59,351.08, FOR
THE CLOSEOUT OF THE MIDBLOCK PEDESTRIAN CROSSING AT COMMUNITY
MEDICAL CENTER PROJECT**

MARCH 31, 2020

WHEREAS, resolution of the Township Council dated November 12, 2019, awarded a contract to J.C. Contracting, Inc., as the lowest responsible bidder meeting all the specifications, for the Midblock Pedestrian Crossing at Community Medical Center Project, in the maximum amount not to exceed \$64,366.00; and

WHEREAS, the contractor retained for the Midblock Pedestrian Crossing at Community Medical Center 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 \$59,351.08.
- b) Change Order No. 1 – Final - Executed by the contractor for a reduction in the contract amount of \$5,014.92.
- c) Original Maintenance Bond No. NJC48850MB with J.C. Contracting, Inc., as Principal and Merchants Bonding Company (Mutual), as Surety.

WHEREAS, Change Order 1 – to the contract with J.C. Contracting, Inc., to wit:

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

Reduction in Various Quantities.

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$5,014.92)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$5,014.92)
Previous Change Orders	X	X
Total Change Orders to Date:	X	(\$5,014.92)
Total Change in Contract		(\$5,014.92)
ORIGINAL CONTRACT BID PRICE:	\$64,366.00	
NEW CONTRACT PRICE:	\$59,351.08	

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 Midblock Pedestrian Crossing at Community Medical Center Project, approval of Change Order No. 1 – Final, releasing Performance Bond, acceptance of Maintenance Bond, and authorizing final payment to contractor, J.C. Contracting, Inc., in the amount of \$59,351.08. Funds in the amount of \$59,351.08, are available in Account No. X-04- -239-001. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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) J.C. Contracting, Inc.
681 Mill Street
Rahway, NJ 07065

CERTIFICATION

THIS IS TO CERTIFY that the funds for the final payment to contractor, J.C. Contracting, Inc., in the amount of \$59,351.08, are available in Account No. X-04- -239-001.

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 31, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE BOROUGH OF OCEAN GATE FOR BEACH CLEANING SERVICES

MARCH 31, 2020

WHEREAS, the Township of Toms River and the Borough of Ocean Gate have determined that it is in their mutual best interest to establish an arrangement whereby Township will provide the personnel and equipment to clean the Ocean Gate municipal beaches for an agreed-upon fee; and

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 to -35, the parties negotiated an agreement for that purpose, which is attached as Schedule "A" to this resolution:

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to the shared services agreement, attached as Schedule "A" to this resolution, between the Township of Toms River and the Borough of Ocean Gate, whereby the Township will provide beach cleaning services to the Borough on the terms and conditions stated therein.

2. A fully-executed copy of this shared services agreement shall be kept on file in the Office of the Township Clerk.

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

- a. Business Administrator
- b. Chief Financial Officer
- c. Director of Public Works
- d. Director of Parks, Buildings and Grounds
- e. Township Attorney
- f. Ileana Vazquez-Gallipoli
Municipal Clerk

Borough of Ocean Gate
801 Ocean Gate Avenue
CN 100
Ocean Gate, New Jersey, 08740

SCHEDULE "A"

"See attachments"

RESOLUTION
March 31, 2020

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

MASSAGE BUSINESS

- | | |
|--------------|---|
| 14-20 | Massage Haven
917 Route 166
Toms River, NJ 08753 |
| 09-20 | Ocean Blue Day Spa
2811 Route 37 E.
Toms River, NJ 08753 |

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

WHEREAS, the appropriate licensing fee has been paid to the Township of Toms River;

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

- 1. The Township Clerk is hereby authorized to issue the licenses Listed in the preamble hereof.**
- 2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:**
 - a. Attorney**
 - b. Chief of Police**
 - c. Code Enforcement**
 - d. Applicants listed above**

**RESOLUTION AUTHORIZING THE PERSON-TO PERSON TRANSFER
OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE
1507-33-012-006 FROM MALBAR, INC. TO B2OPCO TOMS RIVER LLC**

MARCH 31, 2020

WHEREAS, an application has been filed for **PERSON-TO-PERSON TRANSFER** for Plenary Retail Consumption License Number **1507-33-012-006**, heretofore issued to Malbar Inc. 1250 Hooper Ave Toms River, NJ 08753 and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, funding sources have been disclosed and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinance and conditions consistent with Title 33 and has disclosed the source of funds for said purchase;

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

1. It hereby does authorize the **Person-To-Person Transfer** of Plenary Retail Consumption Liquor License Number 1507-33-012-006 from **Malbar, Inc. To B2OPCO Toms River LLC.** with a mailing address of: B2OPCO Toms River LLC. 1250 Hooper Avenue, Toms River, New Jersey, 08753.

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

- a) Police Department
- b) Chief Financial Officer
- c) Township Attorney
- d) NJ Division of Taxation
PO Box 999
Trenton, NJ 08646-0999
- e) B2OPCO Toms River LLC
1250 Hooper Ave
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES, ACCEPTING MAINTENANCE GUARANTEES AND ACCEPTING DEDICATION OF PUBLIC ROADWAY AND STORM WATER BASIN FOR A MAJOR SUBDIVISION KNOWN AS MAJESTIC HOMES, FORMERLY THE DOMINION, BLOCK 135.01 LOT 9 (Massachusetts Avenue)

March 31, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Majestic Homes, formerly known as The Dominion, Block 135.01, Lot 9.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$46,200.00, originally accepted by way of Resolution 'X', dated August 11, 2015, in the original amount of \$138,600.00, is hereby accepted and will remain on account to represent the Maintenance Cash Bond;
- 2) Dedication of the Public Roadway & Storm Water Basin are hereby accepted;

WHEREAS, the Township Engineer has made an inspection of said Major Subdivision and finds that all improvements have been satisfactorily completed; and WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and the acceptance of the Maintenance Guarantees;

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

- 1) Previously posted Cash Bond in the amount of \$92,400.00, originally accepted in the amount of \$138,600.00, on account # 0-14- -902-101, is hereby released with applicable interest if any;
- 2) Maintenance Cash Bond listed in the preamble hereof be and the same is hereby retained;
- 3) Township Clerk shall send a certified copy hereof to each of the following:
 - a. Township Engineer
 - b. Chief Financial Officer
 - c. Township Attorney
 - d. Majestic Home Developers, LLC
12 Franklin Street
Mahwah, NJ 07430

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 878, LOTS 17, 30 AND 32 (Fifth Avenue and West Central Avenue)

March 31, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as, Block 878, Lots 17, 30 & 32.

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

- 1) Maintenance Cash Bond in the amount of \$1,520.00 currently on deposit in account # 0-14- -902-101 is hereby released with applicable interest;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Mark Nordstrom
27 Hedgefield Court
Orange, CT 06477

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE OFFICE OF THE OCEAN COUNTY PROSECUTOR FOR POLICE SERVICES –

**FOR THE PROSECUTOR'S PROGRAM - 2020, FORMERLY KNOWN AS FATAL
ACCIDENT SUPPORT TEAM (F.A.S.T.)**

MARCH 31, 2020

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Office of the Ocean County Prosecutor for the Prosecutor's Program - 2020, formerly known as the Fatal Accident Support Team (F.A.S.T.), for the term commencing retroactive to January 1, 2020 and terminating December 31, 2020. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Grant Coordinator
- f) Police Department, Attn: Chief Mitchell Little
- g) Chief Financial Officer
- h) Ocean County Board of Freeholders
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Ocean County Prosecutor's Office
Attn: Detective Michael Proto
Major Crime/Vehicular Homicide Unit
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, EXTENDING THE TERM OF CERTAIN
CONTRACTS EXEMPT FROM PUBLIC BIDDING TO MAY 12, 2020**

MARCH 31, 2020

WHEREAS, during the 2019 calendar year, the Township Council awarded contracts for services exempted from the public bidding process up to and including December 31, 2019; and

WHEREAS, on January 3, 2020, the Township Council adopted a resolution extending the term of certain 2019 contracts exempted from public bidding to March 24, 2020; and

WHEREAS, there still exists a need for the extensions of certain contracts exempt from public bidding; and

WHEREAS, awards for these services are subject to campaign contribution reform laws as set forth in *N.J.S.A. 19:44A-20.4, et. seq.* and the Toms River Township Administrative Code § 84-1, "Prohibition on awarding public contracts to certain contributors"; and

WHEREAS, vendors receiving these contract awards in 2019 were obtained pursuant to a fair and open process, and other methods permitted by law pursuant to *N.J.S.A. 19:44A-*

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

1. It hereby approves the extensions of contracts up to and including May 12, 2020 with the following firms:

1. Preferred Behavioral Health, as EAP Administrator
2. Piazza & Associates, Inc., as Administrative Agent for Affordable Housing Units
3. Chiesa, Shahinian and Giantomasi P.C., for professional bankruptcy counsel legal services
4. Gluck, Walrath, L.L.P., for municipal bond legal services
5. CME Associates, for certified forester services
6. William J. Willard, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., for professional COAH legal services
7. Edward J. Simone, C.P.A., R.M.A. of William E. Antonides and Company, for conflict auditing services
8. Bonnie Peterson, Esq., as Conflict Prosecutor
9. Connor, Strong & Buckelew Companies, LLC, for Employee Benefits Consultancy and Brokerage Services for Medical, Prescription, Dental, and Vision Coverage
10. Maser Consulting, PA, for environmental consultant expert on CIBA/BASF tax appeals
11. Acacia Financial Group, Inc., as Financial Advisor and Counseling Services (Arbitrage)
12. Chiesa, Shahinian and Giantomasi, P.C., and Wanda Chin Monahan, LLC, as General Environmental Legal Counsel
13. For general legal and litigation services: Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors; Kevin B. Riordan, Esq., L.L.C.; and Hiering, and Gannon, & McKenna
14. Paul R. Rizzo, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., for land acquisition and dune easement counsel services
15. TRC Environmental Corp., for landfill environmental consultant services
16. Holman, Frenia, Allison, P.C. for municipal auditor services
17. Steven A. Zabarsky, Esq. as Municipal Prosecutor and Alternate Municipal Prosecutors of the firm of Citta, Holzapfel & Zabarsky, P.C.
18. Terry F. Brady, Esq. of the firm of Brady & Kunz, P.C. as Municipal Public Defender
19. Dr. Laurence De Rochers, t/a Emergemed, L.L.C as police emergency medical service and volunteer emergency medical service director
20. The Musial Group, and Yezzi & Associates, L.L.C. for professional pool architectural services
21. Brian E. Rumpf, Esq., Brian DiStefano, Esq., and Mark A. Schneider, Esq., as Pool Conflict Municipal Public Defender Services
22. Owen, Little & Associates; Remington, Vernick & Vena Engineers; T & M Associates; French & Parrello Associates; Mott MacDonald, L.L.C.; Maser Consulting, PA; O'Donnell, Stanton & Associates, Inc. CME Associates; The Alaimo Group; and ARH Associates for pool inspection and general engineering services
23. Cummings Veterinary Services, d/b/a East Coast New Jersey Spay Clinic, and Vetcor of Toms River, LLC d/b/a Calling All Creatures and VCA Animal Hospitals, Inc. d/b/a Toms River Veterinary Hospital as non-emergency pool veterinary services.
24. Mid-State Abstract Co., for First America Title Ins. Co., for real estate title abstract services
25. Henry J. Mancini and Associates, for real estate appraisal services
26. Henry J. Mancini and Associates, for real estate appraisal services for property tax appeals

27. Carmen J. Memoli, CPA of the firm Memoli & Company, PC, for rent leveling board accounting services
28. A. Michael Barker, Esq. of Barker, Gelfand, James & Sarvas, P.C. , and Citta, Holzapfel & Zabarsky, for special labor counseling services
29. Chiesa, Shahinian and Giantomasi, P.C., for special legal counsel in the matter of CIBA/BASF tax appeals
30. Coffey & Associates, for legal professional services with regard to litigation filed against the Township of Toms River captioned *NJDEP v. Almo Anti-Pollution Services, et als. v. Toms River Township*
31. Chiesa, Shahinian and Giantomasi, P.C., for professional legal services regarding the *Township of Dover v. Ciba Specialty Chemicals Corp., et. als.*
32. Urgent Care Group, PA d/b/a Urgent Care Now, as Township Physician
33. Raymond F. Hanbury, Phd., as Township Psychologist
34. Dr. Samir Jain, d/b/a NJ Heart and Vascular Specialist, as Township Cardiologist.
35. Professor Marci A. Hamilton, Esq., as consultant for matters Religious land use and institutionalized persons
36. Bright View Engineering, LLC, for Professional Traffic Planning Services
37. NV5, for Transportation Alternative Design Services.
38. McManimon, Scotland & Baumann, LLC, for legal redevelopment services

2. The rates of pay will be the same as those awarded during 2019 calendar year.
3. The Township Council may award a new contract for the same services prior to May 12, 2020, and automatically terminate the extension described in this resolution.
4. A notice of these extensions shall be published within 10 days of the date of this Resolution, pursuant to law.
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) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) All Department Heads
- f) Engineering Division
- g) Purchasing Division
- h) Tax Assessor
- i) Township Clerk's Office
- j) McManimon, Scotland & Baumann, LLC
75 Livingston Avenue
Second Floor #201
Roseland, N.J. 07068
- k) Toms River Animal Hospital
769 Route 37 West
Toms River, N.J. 08755

- l) Wanda Chin Monahan, LLC
50 Cardinal Drive, Suite 102
Westfield, N.J. 07090
- m) Preferred Behavioral Health Group.
1500 Route 88
Brick, N.J. 08724
- n) Piazza & Associates, Inc.
216 Rockingham Row,
Princeton, N.J. 08540
- o) Chiesa, Shahinian and Giantomasi, P.C.
1 Boland Drive
West Orange, New Jersey 07052
- p) Gluck, Walrath, L.L.P.
428 River View Plaza
Trenton, New Jersey 08611
- q) NV5
7 Campus Drive, Suite 300
Parsippany, N.J. 07054
Attn: Denise DaCahuna, PE
Project Manager
- r) William J. Willard, Esq., of the firm DiFrancesco,
Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.
15 Mountain Blvd.
Warren, New Jersey 07059
- s) Edward J. Simone, CPA, RMA,
William E. Antonides & Co.
2807 Hurley Pond Road
P.O. Box 1137
Wall, N.J. 07718-1137
- t) Bonnie R. Peterson, Esq.
1201 SW Central Avenue
P.O. Box J
Seaside Park, New Jersey 08752
- u) Connor, Strong & Buckelew Companies, LLC
40 Lake Center Executive Park
401 Route 73 North
Marlton, New Jersey 08053
- v) Maser Consulting, PA,
331 Newman Springs Road, Suite 203
Red Bank, New Jersey 07701
- w) Acacia Financial Group, Inc.,
6000 Midlantic Drive
Mt. Laurel, New Jersey 08054
- x) Dasti, Murphy, McGuckin, Ulaky, Koutsouris &
Connors, P.C.,
620 West Lacey Road
Forked River, New Jersey 08731
- y) Kevin Riordan, Esq.
20 Hadley Avenue, Suite 2
Toms River, New Jersey 08753
- z) Hiering, Gannon, & McKenna

29 Hadley Avenue, Suite 2,
Toms River, New Jersey 08753

- aa) Paul R. Rizzo, Esq., DiFrancesco, Bateman,
Kunzman, Davis, Lehrer & Flaum, P.C.
15 Mountain Blvd.
Warren, New Jersey 07059
- bb) TRC Environmental Corp.
41 Spring Street
New Providence, New Jersey 07974
- cc) Holman, Frenia, Allison, P.C.,
912 Highway 33, Suite 2
Freehold, New Jersey 07728
- dd) Citta, Holzapfel & Zabarsky, P.C.
248 Washington Street
Toms River, New Jersey 08753
- ee) Terry F. Brady, Esq., Brady, & Kunz, P.C.,
680 Hooper Avenue, Building C, 2nd Floor
P.O. Box 4990
Toms River, New Jersey 08754
- ff) Emergemed, L.L.C.
Att'n: Dr. Larry Des Rochers, M.D.
640 Harbor Road
Brick, New Jersey 08724
- gg) Brian E. Rumpf, Esq.
11 Leifried Lane
Tuckerton, New Jersey 08087
- hh) Mark A. Schneider, Esq.
55 Manchester Ave.
P.O. Box 258
Forked River, N.J. 08731
- ii) Mott MacDonald, L.L.C.
3 Paragon Way
Freehold, New Jersey 07728
- jj) O'Donnell, Stanton & Associates, Inc.
1705 Route 37 East
Toms River, New Jersey 08753
- kk) Owen, Little & Associates
443 Atlantic City Blvd.
Beachwood, N.J. 08722
- ll) Remington Vernick & Vena Engineers
9 Allen Street
Toms River, N.J. 08753
- mm) T & M Associates
11 Tindall Road
Middletown, New Jersey 07748
- nn) French & Parrello Associates, P.A.
1800 Rte. 34, Suite 101
Wall, N.J. 07719
- oo) Vetcor of Toms River, L.L.C., t/a
Calling All Creatures Veterinary Hospital
246 Washington Street

Toms River, N.J. 08753

- pp) Mid-State Abstract Company
207 Hooper Avenue
PO Box 413
Toms River, N.J. 08754
- qq) Cummings Veterinary Services, d/b/a
East Coast New Jersey Spay Clinic
918 Hazelwood Road
Toms River, N.J. 08753
- rr) Henry J. Mancini and Associates
691 Mill Creek Road, Unit 11
Manahawkin New Jersey 08092
- ss) Memoli and Company, PC
222 Oak Avenue, Suite 5
Toms River, New Jersey 08753
- tt) Bright View Engineering, LLC
5 Pitcairn Drive
Roseland, N.J. 07068
- uu) Coffey & Associates
310 South Street
Morristown, N.J. 07960
- vv) Raymond F. Hanbury, Phd. ABPP
2100 Highway 33, Suite 9-10
Neptune, New Jersey 07753
- ww) Urgent Care Group, PA t/a
Urgent Care Now Physicians
970 Hooper Avenue, Suite 2
Toms River, New Jersey 08753
- xx) Brian DiStefano, Esq.,
1 Pelican Drive, 2nd Floor, Suite 6
Bayville, New Jersey 08721
- yy) CME Associates
1460 Route 9 South
Howell, New Jersey 07731
- zz) ARH Associates
251 Bellevue Avenue
P.O. Box 579
Hammonton, N.J. 07731
- aaa) Dr. Samir Jain
d/b/a NJ Heart and Vascular Specialists
599 Route 37 West, Suite 5
Toms River, New Jersey
- bbb) Professor Marci A. Hamilton, Esq.
36 Timber Knoll Drive
Washington Crossing, Pa. 18977
- ccc) Yezzi Associates, L.L.C.,
18 Washington Street,
Toms River, New Jersey 08753
- ddd) The Alaimo Group
200 High Street
Mt. Holly, New Jersey 08060

eee) Barker, Gelfand, James & Sarvas, P.C.
210 New Road, Unit 2
Linwood, N. J. 08221

fff) The Musial Group
191 Mill Lane
Mountainside, NJ 07902

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AWARDING A CONTRACT FOR PROFESSIONAL ZONING PROSECUTOR SERVICES TO STEVEN A. ZABARSKY, ESQ., MUNICIPAL ZONING PROSECUTOR; RONALD DELIGNY, ESQ.; BRIAN WILKIE, ESQ.; BARRY STIEBER, ESQ.; AND PAUL GRANICK, ESQ., AS ASSISTANT MUNICIPAL ZONING PROSECUTORS, OF THE LAW FIRM OF CITTA, HOLZAPFEL & ZABARSKY, PC, IN AN AMOUNT NOT TO EXCEED \$16,000.00 FOR CALENDAR YEAR 2020

MARCH 31, 2020

WHEREAS, the Township of Toms River has a need to acquire professional legal services for Municipal Zoning Prosecutor and Assistant Municipal Zoning Prosecutors, commencing retroactive to February 1, 2020 up to and including December 31, 2020; and

WHEREAS, the Township solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on February 5, 2020:

1. Eric M. Bernstein & Associates, LLC
34 Mountain Boulevard
Building A
PO Box 4922
Warren, NJ 07059-4922
2. Rothstein, Mandell, Strohm, Halm & Cipriani
150 Airport Road
Suite 600
Lakewood, NJ 08701
3. Citta, Holzapfel & Zabarsky
248 Washington Street
Toms River, NJ 08753

WHEREAS, a review of the submitted proposals to the Township Council reveals that the firm of Citta, Holzapfel & Zabarsky, P.C., has provided legal services to the Township of Toms River for many years, in a competent and professional manner, in a variety of endeavors, and represents many municipalities, and are fully experienced to perform the duties required;

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 professional legal services contract to Steven A. Zabarsky, Esq., as Municipal Zoning Prosecutor; Ronald DeLigny, Esq., Brian Wilkie, Esq., Barry Stieber, Esq. and Paul Granick, Esq., as Assistant Municipal Zoning Prosecutors of the law firm of Citta, Holzapfel & Zabarsky, PC, at the rate of \$400.00 per session for a total maximum contract amount not to exceed \$16,000.00 for a term commencing retroactive to February 1, 2020 through December 31, 2020, contingent upon adoption of the CY2020 budget, availability of funds, and execution of a contract.

2. Funds in the amount not to exceed \$16,000.00, are available in Account No. 0-01- -L21-534 for this purpose.

3. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Professional Services Agreement with Steven A. Zabarsky, Esq., as Municipal Zoning Prosecutor; Ronald DeLigny, Esq., Brian Wilkie, Esq., Barry Stieber, Esq. and Paul Granick, Esq., as Assistant Municipal Zoning Prosecutors of the law firm of Citta, Holzapfel & Zabarsky, PC.

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

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Municipal Court
- h) Citta, Holzapfel & Zabarsky, PC
248 Washington Street
Toms River, N.J. 08753
Attn: Steven A. Zabarsky, Esq.
- i) Citta, Holzapfel & Zabarsky, PC
248 Washington Street
Toms River, N.J. 08753
Attn: Ronald DeLigny, Esq.
- j) Citta, Holzapfel & Zabarsky, PC
248 Washington Street
Toms River, NJ 08753
Attn: Brian Wilkie, Esq.
- k) Citta, Holzapfel & Zabarsky, PC
248 Washington Street
Toms River, NJ 08753
Attn: Barry Stieber, Esq.
- l) Citta, Holzapfel & Zabarsky, PC
248 Washington Street
Toms River, NJ 08753
Attn: Paul Granick, Esq.

CERTIFICATION

THIS IS TO CERTIFY that the funds for the professional services contract with Steven A. Zabarsky, Esq., as Municipal Zoning Prosecutor; Ronald DeLigny, Esq., Brian Wilkie, Esq., Barry Stieber, Esq. and Paul Granick, Esq., as Assistant Municipal Zoning Prosecutors of the law firm of Citta, Holzapfel & Zabarsky, PC, at the rate of \$400.00 per session, in the total maximum contract amount not to exceed \$16,000.00,

are available in Account No. 0-01- -L21-534, contingent upon the availability of funds, the execution of a contract and approval of the 2020 calendar year budget.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: March 31, 2020

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

**RESOLUTION APPOINTING JAMES A. LIGUORI, ESQ.,
AS MUNICIPAL JUDGE OF THE COURT OF THE
TOWNSHIP OF TOMS RIVER**

MARCH 31, 2020

WHEREAS, Chapter 60-4 of the Township of Toms River Administrative Code provides that each judge of the Municipal Court shall serve for a term of three (3) years from the date of his appointment and until his successor is appointed and qualified; and

WHEREAS, Chapter 60-4 of the Administrative Code provides further that the Judge of the Municipal Court shall be appointed by the Mayor with the advice and consent of the Township Council; and

WHEREAS, the term of Judge **JAMES A. LIGUORI** of the Municipal Court expires on April 7, 2020; and

WHEREAS, Chapters 8 of Title 2A of the New Jersey Statutes has been amended to permit two Municipal Court Judges positions for a municipality such as the Township of Toms River and Chapter 60-4 of the Administrative Code of the Township provides for two Judges; and

WHEREAS, the Municipal Court has two judges; and

WHEREAS, the Mayor has nominated **JAMES A. LIGUORI** as Municipal Court Judge, and the Council has advised its consent;

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

1. **JAMES A. LIGUORI**, Esq., 1021 Route 37 West, Toms River, New Jersey 08753, is hereby appointed as Municipal Judge of the Court of the Township of Toms River, New Jersey, Part Two, said appointment shall be for a three year term commencing April 7, 2020 and expiring on April 7, 2023, at a salary as provided in the "Code of the Township of Toms River, New Jersey."

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

- a) Township Council
- b) Mayor
- c) Hon. James A. Liguori, J.M.C.

- 1021 Route 37 West
Toms River, NJ 08753
- d) Municipal Court Administrator
 - e) Personnel
 - f) Payroll Div.
 - g) Municipal Attorney
 - h) Trial Court Administrator
Ocean County Justice Complex
120 Hooper Avenue
Toms River, NJ 08753
 - i) Damian Murray, Esq.
837 Astoria Drive
Toms River, NJ 08753

Mayor Hill and Council President Maruca spoke regarding the following resolution.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, EXTENDING THE TERM OF RETAIL FOOD
HANDLING LICENSES ISSUED PURSUANT TO CHAPTER 534 OF THE
TOWNSHIP CODE DUE TO THE COVID-19 EMERGENCY**

MARCH 31, 2020

WHEREAS, Chapter 534 of the Township Code requires that retail food-handling establishments operate pursuant to a Township-issued permit, license, or certificate; and

WHEREAS, those licenses, certificates, or permits are set to expire on March 31, 2020; and

WHEREAS, Executive Order No. 107, issued by Governor Murphy on March 21, 2020, declares that retail food-handling establishments may continue to operate during the state of emergency to provide food delivery or take-out services; and

WHEREAS, to ensure that these essential businesses remain open and operable for the limited purposes specified in Executive Order No. 107, and to minimize the business processed in Town Hall to combat the spread of the coronavirus, it is necessary and prudent to extend the term of existing food-handler's licenses:

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

1. All existing retail food-handling licenses, permits, or certificates, issued pursuant to Chapter 534 of the Township Code, are hereby extended for the duration of the state of emergency declared pursuant to Executive Order No. 107. Renewal is not required until Executive Order No. 107, or any superseding executive order, is rescinded.

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) Health Department, Attn: Alice Scivoletti

Township Attorney Fitzsimmons explained the following resolution to the public.

Council Member Turnbach spoke regarding of the resolution impact.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY AUTHORIZING A LEGISLATIVE
INVESTIGATION PURSUANT TO N.J.S.A. 40:69a-36c AND N.J.S.A. 40:69A-37(a)
AND RETAINING HOWARD MANKOFF, ESQ., AS SPECIAL COUNSEL TO
CONDUCT THE INVESTIGATION**

MARCH 31, 2020

WHEREAS, the Township Council is statutorily empowered to conduct a legislative inquiry or investigation pursuant to N.J.S.A. 40:69A-36c and N.J.S.A. 40:69A-37(a); and

WHEREAS, the Township Council has determined that such an investigation is necessary in order to uncover the source of the recent unauthorized and impermissible disclosure of confidential information discussed during the executive session portion of the Township Council’s regular meetings; and

WHEREAS, the Township Council has further determined that this investigation should be conducted by special counsel retained for that purpose; and

WHEREAS, Howard Mankoff, Esq., of the law firm of Marshall, Dennehey, Warner, Coleman, & Goggin, has represented the Township in other internal investigatory matters and in cases assigned by the Ocean County Joint Insurance Fund, and is qualified to handle this assignment:

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. 40:69A-36c and N.J.S.A. 40:69A-37(a), a legislative investigation into the source of the recent unauthorized and impermissible disclosure of confidential information discussed during the executive session portion of the Township Council’s regular meetings is hereby authorized.

2. Howard Mankoff, Esq., of the law firm of Marshall, Dennehey, Warner, Coleman, & Goggin, is hereby retained as special counsel to conduct the investigation authorized by this resolution, in accordance with the terms and conditions set forth in the retainer agreement attached hereto as Schedule “A”.

3. The Business Administrator is hereby authorized to execute any and all documents necessary to effectuate Mr. Mankoff's representation in connection with this matter.

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

- a. Mayor Maurice B. Hill, Jr.
- b. Township Council
- c. Business Administrator
- d. Township Attorney
- e. Chief Financial Officer
- f. Howard B. Mankoff, Esq.
Marshall, Dennehey, Warner, Coleman & Goggin
425 Eagle Rock Avenue, Suite 302
Roseland, NJ 07068

SCHEDULE "A"

"See attachments"

REPORTS

NONE

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **March 25, 2020** was approved on motion by Council Member Turnbach, seconded by Council Member Kopp, 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:

Councilman Geoghegan abstained due to Business conflicts on the following:

Purchase Order 20-01383, payable to Board of Fire Commissioners District 2 in the amount of \$602,313.18.

Purchase Order 20-01576, payable to Silverton First Aid Squad, Inc., in the amount of \$40,149.60.

Councilwoman Maruca abstained due to Business conflicts on the following:

Purchase Order 20-01190, payable to Terry Brady, Esquire, in the amount of \$400.00.

Purchase Order 20-01240, payable to Chamber of Commerce in the amount of \$649.00.

Purchase Order 19-00863, and 20-00819, payable to Dasti, McGuckin Attorneys at Law, in the amount of \$5,643.00.

Purchase Order 20-00897, payable to N.J. Motor Vehicle Commission in the amount of \$120.00.

Purchase Order 20-01380, payable to N.J. MVC Lease in the amount of \$4,128.00.

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 20-00162, payable to Borough of Lavallette in the amount of \$663.31.

Purchase Order 20-00398 and 20-00818, payable to Remington & Vernick Engineers in the amount of \$17,791.75.

Purchase Order 20-00859, payable to Rutgers University in the amount of \$2,325.00.

Purchase Order 20-00972, payable to Rutgers University in the amount of \$120.00.

Purchase Order 20-01380, payable to Recreation Salaries in the amount of \$8,547.96.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 20-01383, payable to Board of Fire Commissioners District 2 in the amount of \$602,313.18.

Purchase Order 20-01576, payable to Silverton First Aid Squad Inc., in the amount of \$40,149.60.

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 20-00485, payable to Citta, Holzapfel, Zabarsky in the amount of \$7,100.00.

Purchase Order 19-00863, and 20-00819, payable to Dasti, McGuckin Attorneys at Law, in the amount of \$5,643.00.

Purchase Order 20-01380, payable to Magistrate Salaries in the amount of \$7,499.70.

ELECTED OFFICIALS COMMENTS

Mayor Hill spoke regarding COVID19 pandemic and asked everyone to be safe.

Councilwoman Huryk spoke regarding COVID19 pandemic and wished everyone well.

Councilman Rodrick send his thoughts and prayers to loved ones who lost lives and thanked all the first responders. He also spoke regarding the budget.

Councilman Turnbach spoke regarding the township helping those residents in need and he thanked the first responders.

Councilman Kopp spoke regarding COVID19 pandemic; small businesses, and the budget.

Councilman Lotano spoke regarding COVID19, some businesses that are helping out with the food, and the budget.

Councilman Geoghegan thanked all the first responders; encouraged residents to listen to officials guidelines, and spoke about the budget.

Councilwoman Maruca spoke on several issues regarding the pandemic:

- OCHD.org website
- Heartfelt thanked to first responders
- Ocean County testing site
- Township police department
- Helping senior in the community

- Social distancing, stay at home and be safe
- Food for the needy

PUBLIC COMMENTS

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

Art Anderson, 12 Park Street, spoke regarding Resolution 9 restricting the amount of questions the public may ask. He also questioned the two loaders for \$90,000 with many other non-essential purchases. He feel that a freeze on buying anything non-essential until the current pandemic is over.

Dennis Galante, 1149 Cherokee Court, questioned when the public hearing for the 2020 budget be and can he get a copy of the budget? Township Administrator Guardian said April 28 is Final hearing date, and he can get a copy of the budget and ratable on the website.

Aison Domanic, 221 South Court, Normandy Beach, regarding the stay at home request by the governors. She said many seasonal residents looking to open their summer homes and asking local contractors to turn on the water in these homes.

Sal DeFilippo, 1426 Palmerson Court, questioned why certain areas of town are not following the rules of social gatherings.

Robert Bressman, 1634 North Bay Avenue, has issues with Township Administer Guardian, Township Attorney Anthony Merlino, Council Member Rodrick and Police Chief Little regarding 10 year fight to get laws on ordinances enforced where he live.

Alizar Zorojew, spoke regarding upcoming hardship of small businesses and events have been put on hold.

No further comments from the public appearing, a motion was made by Council Member Turnbach, seconded by Council Member Kopp, and **the public was closed.**

No other business appearing, the meeting was **adjourned** at 7:42 P. M., on motion with Council Member Turnbach, seconded by Council Member Kopp, 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