

April 14, 2020

A Regular Meeting of the Township Council of the Township of Toms River was held virtually online, due to the COVID-19 Pandemic, using the 2 social media platforms of YouTube Live and FaceBook live, with Council and Administration streaming live from their different offices (to satisfy the social distancing mandate) of 33 Washington Street, Toms River, New Jersey at 6:00 PM. Councilwoman Huryk attended virtually from home.

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

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

OPEN PUBLIC MEETINGS ACT
STATEMENT

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Wednesday, January 8, 2020, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Monday, January 6, 2020, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Friday, January 3, 2020. The meeting dates have also been posted on the Township web page.

Councilwoman Maruca also explained we were streaming live from YouTube Live and Facebook Live and any questions from the public watching the meeting online could be emailed to email address of questions@tomsrivertownship.com, and we would read them to be answered one by one.

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 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 **Regular Meeting of March 31, 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

NONE

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:

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 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 Lotano and carried, the public hearing was closed.

Council Member Huryk offered the following ordinance and moved its adoption, Council Member Kopp 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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 383 (PARKS, MUNICIPAL) OF THE TOWNSHIP CODE TO AMEND CERTAIN FEES FOR THE WINDING RIVER PARK ICE SKATING RINK FACILITIES

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

1. Section 383-5 (Park and recreation area fees and charges; rules and regulations), Subsection A (1) (a) of Chapter 383 (Parks, Municipal), is amended, as follows:
 - A. The following fees and charges are hereby designated and established for the use of the Winding River Park ice-skating rink facilities:

- (1) General admission fees.
 - (a) Residents.
 - [1] Each child (12 years and under) accompanied by an adult with an identification card or his or her own identification card: \$5.
 - [2] [No Change]
 - [3] [No Change]
 - [4] [No Change]
 - [5] [No Change]
 - [6] [No Change]
 - [7] Passes, five sessions:
 - [a] [No Change]
 - [b] [No Change]
 - [c] [No Change]
 - [d] DJ VIP Admission Only: \$50
 - [e] DJ VIP Admission and Skates: \$70
 - [f] Adult Open Hockey: \$60
 - [8] [No Change]
 - [9] [No Change]
2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.
3. All other parts of Chapter 383 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.
4. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.
5. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 14, 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 28, 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 17, 2020.

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 Turnbach, 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 **S and W**, which was done separately.

RESOLUTION

APRIL 14, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES FOR THE YEAR (S) INDICATED, DUE TO; PROPERTY(IES) BECAME TOWNSHIP PROPERTIES, AND MONIES MUST NOW BE REFUNDED TO PRIOR OWNERS;

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>
<i>JANKIM PROPERTIES</i>	<i>410</i>	<i>15.08</i>	<i>2020/1</i>	<i>\$ 5.36</i>
<i>NORTH MAPLE ASSOC LLC</i>	<i>413</i>	<i>13.04</i>	<i>2020/1</i>	<i>28.55</i>
<i>TOTALS:</i>				<i>\$33.91</i>

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

Approved as to content:

RESOLUTION

APRIL 14, 2020

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
CITRANO, KERRY A.	394.54	97	2019/4	\$1,703.12
			2020/1	1,686.12
TOTAL:				\$3,389.24
LERETA LLC	804	15	2020/1	1,577.75
RABA, TYLER	1501.39	21	2019/4	1,299.07
			2020/1	1,264.69
TOTAL:				\$2,563.76
TOTALS:				\$7530.75

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

APRIL 14, 2020

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

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>
<i>DAKAN HOMES, LLC</i>	<i>1095.06</i>	<i>1</i>	<i>C1/2019/4</i>	<i>\$ 485.52</i>
<i>DAKAN HOMES, LLC</i>	<i>1095.06</i>	<i>1</i>	<i>C2/2019/4</i>	<i>971.03</i>
<i>OCEAN BAY DEVELOPERS LLC</i>	<i>1056.03</i>	<i>13</i>	<i>2019/4</i>	<i>\$3,254.41</i>
<i>OCEAN BAY DEVELOPERS LLC</i>	<i>1056.03</i>	<i>14</i>	<i>2019/4</i>	<i>3,254.41</i>
<i>SCHRADER, HAROLD JR. & RHEA</i>	<i>1946.02</i>	<i>53.02</i>	<i>2019/4</i>	<i>\$3,940.60</i>
<i>THREE M. DEVELOPMENT,LLC</i>	<i>944.02</i>	<i>19</i>	<i>2019/4</i>	<i>\$4,214.25</i>
<i>TOTALS:</i>				<i>\$16,120.22</i>
<i>:</i>				

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

Approved as to content:

RESOLUTION

APRIL 14, 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:

NAME	BLOCK	LOT	Qual,Year	Amount
WARNOCK, MARIA & MICHAEL	540.10	6	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 AWARD OF AN OPEN-ENDED CONTRACT TO GRANTURK EQUIPMENT CO., INC., AS THE SOLE BIDDER MEETING ALL THE BID SPECIFICATIONS, FOR THE SUPPLY OF LABRIE REPAIR PARTS FOR THE DEPARTMENT OF PUBLIC WORKS

APRIL 14, 2020

WHEREAS, bids were invited on March 31, 2020, for the Supply of Labrie Repair Parts for the Department of Public Works; and

WHEREAS, one bid was received as follows:

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

Discount off Current Labrie Repair Parts Price List: 20.00%

Manufacturer Bid: Labrie – Price includes standard ground freight. All expedited freight will be billed at current rate.

Percentage Discount for payment within 30 days: 0.00%

Availability of Parts: Stock 1 day, Non-stock 3-4 days

WHEREAS, the bid has been reviewed by the Purchasing Division and Department of Public Works, and they have recommended that the award of contract be made to Granturk Equipment Co., Inc., as the sole bidder meeting all the bid specifications;

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

1. It hereby awards a contract for the Supply of Labrie Repair Parts for the Department of Public Works to Granturk Equipment Co., Inc., as the sole bidder meeting all the bid specifications. The contract term is for two (2) years, commencing April 11, 2020 through April 10, 2022. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget.

2. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. This contract is subject to all the terms and conditions of the bid specifications.

3. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one year terms after the expiration of the original contract period.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Granturk Equipment Co., Inc.
One Schuylkill Pkwy, Bldg. B
Bridgeport, PA 19405

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Granturk Equipment Co., Inc., are contingent upon the availability of funds in the appropriate municipal budget.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR THE LEASE OF THE TOWNSHIP OF TOMS RIVER POOL CONCESSION STAND AT SNUG HARBOR TO CASTAWAY KITCHEN, LLC, AS THE HIGHEST RESPONSIBLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, IN THE AMOUNT OF \$5,100.00 PER SEASON/\$15,300.00 OVER THREE (3) SEASONS, PAYABLE TO THE TOWNSHIP OF TOMS RIVER, EFFECTIVE JUNE 15, 2020 THROUGH SEPTEMBER 5, 2022

APRIL 14, 2020

WHEREAS, bids were invited on March 19, 2020 for the Lease of the Township of Toms River Pool Concession Stand at Snug Harbor; and

WHEREAS, two bids were received, as follows:

Michael Kiernan t/a Jaws Concessions
220 N. Riverside Drive

Neptune, NJ 07753

Price Per Season: \$ 2,860.00
Total for Three Seasons: \$ 8,580.00

Castaway Kitchen, LLC

990 Cedarbridge Ave., Suite B7-216
Brick, NJ 08723

Price Per Season: \$ 5,100.00
Total for Three Seasons: \$15,300.00

WHEREAS, bids were reviewed by the Purchasing Division and the Recreation Department, and they have recommended that the contract be awarded to Castaway Kitchen, LLC, as the highest responsible bidder, meeting all of the bid specifications, for a lease amount of \$5,100.00 per season, for a three (3) year/season total of \$15,300.00, commencing June 15, 2020 through September 5, 2022, for concession fees paid to the Township of Toms River;

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

1. It hereby awards the contract for the Lease of the Township of Toms River Pool Concession Stand at Snug Harbor to Castaway Kitchen, LLC, as the highest responsible bidder, meeting all of the bid specifications, for a lease amount of \$5,100.00 per season, for a three (3) year/season total of \$15,300.00, commencing June 5, 2020 through September 5, 2022, for concession fees paid to the Township of Toms River, as follows;

PAYMENT SCHEDULE:

Three (3) Season Lease ending September 5, 2022

50% of lease payment due June 15, 2020

50% of lease payment due July 15, 2020

For the years 2021 and 2022, 50% of the rent will be due May 15th, and the balance of the 50% will be due August 1st in each of the said years.

2. The term of contract shall be effective from June 15, 2020 through September 5, 2022.

3. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor.

4. The award of this contract is subject to all the terms and conditions of the bid specifications.

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) Recreation Department
- e) Michael Kiernan t/a Jaws Concessions
220 N. Riverside Drive
Neptune, NJ 07753
- f) Castaway Kitchen, LLC
990 Cedarbridge Ave., Suite B7-216
Brick, NJ 08723

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF SOFTWARE MAINTENANCE FROM SPILLMAN TECHNOLOGIES, INC., FOR THE SUPPORT OR MAINTENANCE OF PROPRIETARY SOFTWARE EXCEPTION TO PUBLIC BIDDING, FOR THE DEPARTMENT OF POLICE, IN THE TOTAL MAXIMUM AMOUNT OF \$145,976.31 FOR ONE YEAR, TO BE PAID QUARTERLY, BEGINNING RETROACTIVE TO FEBRUARY 1, 2020

APRIL 14, 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 Division of Purchasing is requesting authorization to purchase software maintenance from Spillman Technologies, Inc., Salt Lake City, Utah, pursuant to 40A:11-5(1)(dd), the support or maintenance of proprietary software exception to public bidding. The total for 2020 will be \$145,976.31 for one year, to be paid quarterly, beginning retroactive to February 1, 2020.

2. Pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(dd), (the support or maintenance of proprietary software exception to public bidding), it hereby awards a contract to Spillman Technologies, Inc., for the purchase of software maintenance for the Department of Police.

3. The support or maintenance of proprietary software is authorized pursuant to N.J.S.A. 40A:11-5(1)(dd).

Contract Awarded to:	Spillman Technologies, Inc. 4625 West Lake Park Blvd. Salt Lake City, Utah 84120
Maximum Amount:	\$145,976.31 for 1 year (to be paid quarterly, beginning retroactive to February 1, 2020)
Account Nos.:	0-01- -P43-535 - \$ 5,800.00 0-01- -P45-510 - \$ 45,306.31 0-01- -P44-535 - \$ 32,846.00 0-01- -P42-535 - \$ 41,774.00 0-01- -P40-510 - \$ <u>20,250.00</u>
	Total: \$ 145,976.31

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) IT Department
- e) Police Department
- f) Spillman Technologies, Inc.
4625 Lake Park Blvd.
Salt Lake City, Utah 84120

CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of software maintenance for the Department of Police from Spillman Technologies, Inc., in the total maximum amount of \$145,976.31, for one year, to be paid quarterly, beginning retroactive to February 1, 2020, are available in the following accounts:

0-01- -P43-535 - \$ 5,800.00
 0-01- -P45-510 - \$ 45,306.31
 0-01- -P44-535 - \$ 32,846.00
 0-01- -P42-535 - \$ 41,774.00
 0-01- -P40-510 - \$ 20,250.00

Total: \$ 145,976.31

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: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CONTRACT TO VENDOR WITH STATE CONTRACT, EAGLE POINT GUN SHOP, CONTRACT NO. 17-FLEET-00721, TO PURCHASE POLICE AND HOMELAND SECURITY SUPPLIES (AMMUNITION) FOR THE POLICE DEPARTMENT USING FEDERAL DEA SEIZURE FUNDS, IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$43,630.27

APRIL 14, 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, and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. Contract to Purchase Police and Homeland Security Supplies (Ammunition) for the Police Department using Federal DEA Seizure Funds from Eagle Point Gun Shop, Contract No. 17-FLEET-00721, in the total maximum contract amount not to exceed \$43,630.27, as follows:

Vendor

Eagle Point Gun Shop
 1707 Third St.
 Thorofare, NJ 08086
 Contract # 17-FLEET-00721

Description	QTY	Unit Price	Total
Federal AE40R1 .40 S&W 180gr FMJ	65	\$248.54	\$16,155.10
Federal XM 193 55gr FMJ 5.56 Boat Tail	70	\$160.06	\$11,204.20
Federal P40HST1 .40 S&W HP	10	\$308.67	\$ 3,086.70
Federal AE9AP 9mm FMJ	10	\$203.87	\$ 2,038.70
Federal T223A .223 Soft Point Tactical Urban Rifle	15	\$274.34	\$ 4,115.10
Federal AE357S2 125gr .357sig FMJ	1	\$257.43	\$ 257.43
Federal BC40CT1 125gr RHT No Lead Frangible	8	\$404.08	\$ 3,232.64

Federal BC223NT5A 55gr RHT No Lead Frangible	5	\$402.32	\$ 2,011.60
IALEFI CB Target (76.44 per 100)	20	\$ 76.44	\$ 1,528.80

\$43,630.27

Contract with: Eagle Point Gun Shop
1707 Third St.
Thorofare, NJ 08086

Contract No. 17-FLEET-00721

Amount: \$43,630.27

Account No. X-19- -600-052
FEDERAL DEA SEIZURE

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) Business Administrator
- d) Township Attorney
- e) Police Department
- f) Eagle Point Gun Shop
1707 Third St.
Thorofare, NJ 08086

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract for vendor with State contract, Eagle Point Gun Shop, in the total maximum contract amount not to exceed \$43,630.27, are available in Account No. X-19- -600-052, Federal DEA Seizure.

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: April 14, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, SUSPENDING THE
EXEMPTIONS FOR DIRECT DEPOSIT OF EMPLOYEE PAYROLL AND
REQUIRING ALL EMPLOYEES TO UTILIZE DIRECT DEPOSIT
EFFECTIVELY IMMEDIATELY**

APRIL 14, 2020

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

1. Subsections a, b, and c of Section 104-20.1 (Direct Deposit), which exempts certain categories of employees from the requirement of direct deposit of the Township Code, are hereby suspended.

2. All previously exempt employees must enroll in paycheck direct deposit effective immediately.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Clerk's Office
- f) Human Resources
- g) Payroll Dept.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING CONTRACT TO VENDOR WITH STATE
CONTRACT, ELITE EMERGENCY LIGHTS LLC, ELITE VEHICLE SOLUTIONS, CONTRACT
NO. 17-FLEET-00749, FOR EQUIPMENT FOR POLICE VEHICLES, IN THE TOTAL
MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$69,826.40**

APRIL 14, 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, and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. Contract to Purchase Equipment for Police Vehicles from Elite Emergency Lights LLC, Elite Vehicle Solutions, Contract No. 17-FLEET-00749, in the total maximum contract amount not to exceed \$69,826.40. A list of the purchases is attached to this resolution and made a part hereof.

Contract with: Elite Emergency Lights LLC
Elite Vehicle Solutions
1000 Bennett Blvd.
Unit 6
Lakewood, NJ 08701

Contract No. 17-FLEET-00749

Amount: \$69,826.40

Account No. X-04- -243-002

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) Business Administrator
- d) Township Attorney
- e) Police Department
- f) Elite Emergency Lights LLC
Elite Vehicle Solutions
1000 Bennett Blvd.
Unit 6

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract for vendor with State contract, Elite Emergency Lights LLC, Elite Vehicle Solutions, in the total maximum contract amount not to exceed \$69,826.40, are available in Account No. X-04- -243-002.

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 account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO UTILIZE STATE CONTRACT T0109, VENDOR #83909, MOTOROLA SOLUTIONS, INC., FOR THE MAINTENANCE OF MOTOROLA RADIO COMMUNICATIONS EQUIPMENT FOR THE POLICE DEPARTMENT, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$47,256.00 ANNUALLY

APRIL 14, 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:11-1 et seq., and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. State Contract No. T-0109, Vendor No. 83909, for the Maintenance of Motorola Radio Communications Equipment for the Police Department, from Motorola Solutions, Inc., for a total contract amount not to exceed \$47,256.00, as follows:
State Contract #T-0109, Vendor # 83909

Motorola Solutions, Inc.
c/o Wireless Communications Electronics
153 Cooper Road
West Berlin, NJ 08091

Term of contract shall be One (1) year upon date of approval, or March 15, 2020 through March 15, 2021.

Total cost will be 12 months at \$3,938.00 per month, totaling \$47,256.00 annually.

3. Funds in the amount of \$20,000.00 are available in Account #0-01- -P40-549. Funds in the amount of \$27,256.00 are available in Account #0-01- -P45-549.

Contract with: Motorola Solutions, Inc.
c/o Wireless Communications Electronics
153 Cooper Road
West Berlin, NJ 08091

State Contract No. T0109

Vendor No. 83909

Account No. 0-01- -P40-549 - \$20,000.00

Account No. 0-01- -P45-549 - \$27,256.00

Total Contract Amount: \$47,256.00 Annually
(\$3,938.00 per month for 12 months)

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Motorola Solutions, Inc.
c/o Wireless Communications Electronics
153 Cooper Road
West Berlin, NJ 08091

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract for vendor with State contract, Motorola Solutions, Inc. c/o Wireless Communications Electronics, in the total maximum contract amount not to exceed \$47,256.00 annually (\$3,938.00 per month for 12 months), are available in the following accounts:

Account No. 0-01- -P40-549 - \$20,000.00

Account No. 0-01- -P45-549 - \$27,256.00

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.

ALEX DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO UTILIZE RYLES RESTORATION LLC/SERVPRO, FOR EMERGENCY BIO-DECONTAMINATION SERVICES DUE TO COVID-19 VIRUS, IN THE AMOUNT NOT TO EXCEED \$22,605.20 (INITIAL COST FOR ALL TOWNSHIP BUILDINGS) (\$50,000.00 FOR ONGOING CONTAMINATION

APRIL 14, 2020

WHEREAS, the Division of Purchasing is requesting authorization to utilize Ryles Restoration LLC/ServPro of Toms River, 15 Adafre Avenue, Toms River, NJ 08753, for emergency bio-decontamination services due to Covid-19 virus; and

WHEREAS, pricing proposal provided for this service was compared to the pricing of ESCNJ, Contract No. 18/19-32, which was more than double; and

WHEREAS, it has been determined to be in the best interest of the Township to utilize the lower pricing through Ryles Restoration LLC/ServPro of Toms River; and

WHEREAS, the initial cost for all Township buildings was \$22,605.20, and it is necessary to continue services through this emergency until a formal bid can be issued and awarded; and

WHEREAS, based on the review of these proposals, recommendation is made to award an initial emergency contract to Ryles Restoration LLC/SERVPRO of Toms River, who submitted the lowest price, for a total contract price not to exceed \$22,605.20;

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 emergency contract to Ryles Restoration LLC/ SERVPRO of Toms River, who submitted the lowest price, for emergency bio-decontamination services due to Covid-19 virus, for an initial total maximum amount not to exceed \$22,605.20 for all Township buildings, and funds are available in Account No. X-19- -600-140 (Storm Recovery Trust). The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. It is necessary to continue services through this emergency until a formal bid can be issued and awarded. The Township is authorized not to exceed \$50,000.00 for this service without further Council approval.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Township Clerk
- e) Police Department
- f) Parks, Buildings & Grounds
- g) Ryles Restoration LLC/SERVPRO of Toms River
15 Adafre Avenue
Toms River, NJ 08753

CERTIFICATION

THIS IS TO CERTIFY that the funds for the emergency open-ended contract awarded to Ryles Restoration LLC/SERVPRO of Toms River, in the initial total maximum amount not to exceed \$22,605.20, are contingent upon the availability of funds in the appropriate municipal budget year, \$50,000.00 for continuing services through this emergency until a formal bid can be issued and awarded. Funds are available in Account No. X-19- -600-140 (Storm Recovery Trust).

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: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN, TOWNSHIP ENGINEER, TO EXECUTE AN OCEAN COUNTY SOIL CONSERVATION DISTRICT SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION APPLICATION FOR THE CONCRETE SKATEPARK IMPROVEMENTS AT CASTLE PARK PROJECT, AND AUTHORIZING PAYMENT OF THE REQUIRED FEE IN THE AMOUNT OF \$1,235.00

APRIL 14, 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 authorized to execute an Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification Application for the Concrete Skatepark Improvements at Castle Park Project.

2. Payment of the required fee in the amount of \$1,235.00 is available in Account No. X-04- -238-003. 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) Purchasing Division
- e) Ocean County Soil Conservation District
714 Lacey Road
Forked River, NJ 08731
- f) CME Associates
1460 Route 9 South
Howell, NJ 07731
Attn: Douglas M. Rohmeyer, PE, CFM, CME

CERTIFICATION

THIS IS TO CERTIFY that the funds for the fee with reference to the Ocean County Soil Conservation District Soil Erosion and Sediment Control Plan Certification Application for the Concrete Skatepark Improvements at Castle Park Project in the total maximum amount of \$1,235.00, are available in Account No. X-04- -238-003.

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: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE BIDS FOR BIO-DECONTAMINATION SERVICES, AS NEEDED, FOR VARIOUS TOWNSHIP DEPARTMENTS

APRIL 14, 2020

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

**BIO-DECONTAMINATION SERVICES, AS NEEDED, FOR
VARIOUS TOWNSHIP DEPARTMENTS**

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 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) Parks, Buildings & Grounds
- c) Chief Financial Officer
- d) Township Attorney

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO
EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LICENSE
AGREEMENT WITH THE COUNTY OF OCEAN AND THE OCEAN COUNTY
UTILITIES AUTHORITY FOR EMPLOYEE PARKING AND STORAGE OF CERTAIN
MATERIALS AND EQUIPMENT ON THE LICENSED PREMISES,
BLOCK 1033, LOT 1**

April 14, 2020

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a License Agreement on behalf of Toms River Township with the Ocean County Utilities Authority and the County of Ocean relating to a portion of the Ocean County Utilities Authority premises, located on Fielder Avenue, Block 1033, Lot 1, together with the County of Ocean, the purpose of which shall be to allow the Township of Toms River and the County of Ocean to provide employee parking and to store certain materials and equipment on the licensed premises for a period of one (1) year commencing on June 1, 2020 and ending on May 31, 2021. Said agreement provides that no charge shall be incurred by the Township. A copy of the License Agreement and Exhibits "A" and "B" are attached to this resolution as Schedule "A", and made a part hereof.

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

- a) Township Attorney
- b) Business Administrator
- c) Chief Financial Officer
- d) Township Engineer
- e) Public Works Department
- f) Recreation Department
- g) Kathleen Balassone
Executive Assistant
Ocean County Utilities Authority
501 Hickory Lane
PO Box "P"

h) Bayville, NJ 08721
 John Sahradnik, Esq.
 Berry, Sahradnik, Kotzas, Riordan & Benson
 212 Hooper Avenue
 PO Box 757
 Toms River, NJ 08754

SCHEDULE "A"

"See Attachments"

**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
 \$14,330.00), RELEASING PERFORMANCE BOND, ACCEPTANCE OF MAINTENANCE
 BOND, AND AUTHORIZING FINAL PAYMENT AND RETAINAGE TO CONTRACTOR,
 MESSERCOLA EXCAVATING INC. IN THE AMOUNT OF \$65,720.00, FOR THE
 CLOSEOUT OF THE DRAINAGE IMPROVEMENTS AT
 RIVER TERRACE PROJECT**

APRIL 14, 2020

WHEREAS, resolution of the Township Council dated November 26, 2019 awarded a contract to Messercola Excavating Inc., as lowest, responsive bidder meeting all the specifications, for the Drainage Improvements at River Terrace Project, in the maximum amount not to exceed \$80,050.00; and

WHEREAS, the contractor retained for the Drainage Improvements at River Terrace 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 \$65,720.00.
- b) Change Order No. 1 – Final - Executed by the contractor for a reduction in the contract amount of \$14,330.00.
- c) Original Maintenance Bond No. S-324592 with Messercola Excavating Inc, as Principal and NGM Insurance Company, as Surety.

WHEREAS, Change Order 1 – Final to the contract with Messercola Excavating Inc., to wit:

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

Adjustment in various final contract quantities

TOTAL REDUCTION: (\$14,330.00).

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$14,330.00)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$14,330.00)
Previous Change Orders	X	X
Total Change Orders to Date:	X	(\$14,330.00)
Net Change of Project Value		(\$14,330.00)
Total Change in Contract		(\$14,330.00)
ORIGINAL CONTRACT BID PRICE:	\$80,050.00	
NEW CONTRACT PRICE:	\$65,720.00	

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 Drainage Improvements at River Terrace Project, approval of Change Order No. 1 – Final, releasing Performance Bond, acceptance of Maintenance Bond, and authorizing final payment to contractor, in the amount of \$65,720.00, and funds are available in Account No. X-04- -205-001. 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) Messercola Excavating Inc.
549 E. Third Street
Plainfield, NJ 07060

CERTIFICATION

THIS IS TO CERTIFY that the funds for the final payment and retainage to Messercola Excavating Inc., in the amount not to exceed \$65,720.00, are available in Account No. X-04- -205-001

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: April 14, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO, AND MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO AN AMENDMENT TO LEASE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND DOCKSIDER MARINA LLC, TO PROVIDE AN ADDITIONAL AREA TO ACCOMMODATE TWO (2) KAYAK RACKS

APRIL 14, 2020

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

1. The Mayor is authorized to execute and the Township Clerk to attest to an Amendment to Lease Agreement between the Township of Toms River and Dockside Marina LLC, to provide an additional area to accommodate two (2) kayak racks. A copy of the Amendment to Lease Agreement is attached to this resolution as Schedule "A" and made a part hereof.

2. All other terms and conditions of the Lease Agreement will remain in full force and effect.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) Purchasing Division
- g) Docksider Marina LLC
1538 Ridgeway Road
Toms River, NJ 08755

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 PROPOSALS FOR SERVICES EXEMPT FROM THE BIDDING PROCESS FOR THE CALENDAR YEAR 2020 (LAND ACQUISITION AND DUNE EASEMENT SERVICES)

APRIL 14, 2020

WHEREAS, the Township of Toms River is desirous of receiving proposals for services exempt from the bidding process for Calendar Year 2020 for the following services:

LAND ACQUISITION AND DUNE EASEMENT 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 Division of Purchasing is authorized to prepare bid specifications for the above-mentioned services.
2. The Division of Purchasing is authorized to advertise for the receipt of proposals for the above-mentioned services.
3. The funds for these contracts are contingent upon the availability of funds in the applicable municipal budget.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Division of Purchasing
- b) Chief Financial Officer
- c) Township Attorney

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO ACCEPT AND EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A CORRECTIVE DEED RESTRICTION IN CONNECTION WITH BLOCK 688.03, LOT 14.10 (15 BACALL WAY) IN THE TOWNSHIP OF TOMS RIVER

APRIL 14, 2020

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

1. The Mayor is authorized to accept and execute and the Township Clerk to attest to a Corrective Deed Restriction in connection with Block 688.03, Lot 14.10 (15 Bacall Way) in the Township of Toms River. A copy of the Corrective Deed and Map are attached hereto as Exhibit "A", and made a part hereof.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Engineering Division
- g) Tax Assessor
- h) Tax Collector
- i) Frank M. Williams, Esq.
Frank M. Williams, L.L.C.
565 Newark Pompton Turnpike
Pompton Plains, NJ 07444

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE USE OF THE STORM
RECOVERY RESERVE FOR PURPOSES RELATED TO PROTECTING THE
PUBLIC HEALTH, SAFETY, WELFARE, AND SECURITY IN REPOSE TO THE
COVID-19 PANDEMIC PURSUANT TO N.J.S.A. 40A:4-62.1a(2)**

APRIL 14, 2020

WHEREAS, by Executive Order No. 103, issued on March 9, 2020, Governor Murphy declared both a public health emergency and a state of emergency as a result of the global outbreak of COVID-19; and

WHEREAS, on March 25, 2020, President Trump issued a federal disaster declaration for the State of New Jersey due to the global outbreak of COVID-19; and

WHEREAS, the Township has established a storm recovery reserve pursuant to N.J.S.A. 40A:4-62.1a(1); and

WHEREAS, N.J.S.A. 40A:5-62.1a(2) authorizes municipalities to use the "funds in the reserve for any purpose necessary to protect the safety, security, health, and welfare of [their] citizens from the damage caused by [a] declared state of emergency," provided that any reimbursement of funds so expended are returned to the reserve:

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

1. Pursuant to N.J.S.A. 40A:4-62.1a(2), the Township Council hereby authorizes the use of funds in the storm recovery reserve for any purpose necessary to protect the safety, health, security, and welfare of the citizens and residents of Toms River from the damage caused by the COVID-19 pandemic.

2. Any reimbursement of funds expended pursuant to this resolution shall be deposited back into the storm recovery reserve, in accordance with N.J.S.A. 40A:5-62.1a(2).

3. The authority granted pursuant to this resolution shall expire upon the termination of the state and federal emergency declarations issued in response to the COVID-19 pandemic.

4. As required by law, a certified copy of this resolution shall be transmitted to the Division of Local Government Services in the Department of Community Affairs:

Division of Local Government Services
Office of Financial Regulation and Assistance
101 South Broad Street
P.O. Box 803
Trenton, New Jersey 08625-0803

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

- a. Business Administrator
- b. Chief Financial Officer
- c. Township Attorney

**RESOLUTION AUTHORIZING TOMS RIVER TOWNSHIP,
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING
AMUSEMENT GAMES LICENSE APPLICATION FOR
BARNACLE BILL’S, INC.**

April 14, 2020

WHEREAS, the Township of Toms River has adopted an ordinance to provide for the licensing, conduct, operation and playing of certain amusement games in accordance with the “Amusement Licensing Law” (Chapter 109, P.I. 1959) and fixed the fees for said licenses; and

WHEREAS, the ordinance provides for all of the premises to which licenses are to be issued which are located in this municipality which said municipality has heretofore been designated by Ordinance No. 4458-14 as a seashore. or resort area with parts hereof customarily constituting an amusement or arcades can operate lawfully; and

WHEREAS, the barrier island sections of the Township qualify as seashore or resort areas in which designated amusements or entertainment zones can be established; and

WHEREAS, the said applicant has complied with the “Amusement Games Licensing Law” (Chapter 109, P.I. 1959), the rules and regulations promulgated by the Office of Amusement Games Control Commission in the Department of Community Affairs and the State of New Jersey, and with local ordinances, have submitted the proper license fees and application and is being the desire of this governing body to grant said license.

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

1. It hereby approves of Amusement Game License to Barnacle Bill's, Inc. attached, located at 1968 Route 35 North Ortlely Beach, N.J. 08751 to operate from April 24, 2019 to April 24, 2020.

2. A Certified copy of this resolution shall be provides by the Office of the Township Clerk to each of the following:
 - a) Mayor
 - b) Attorney
 - c) Business Administrator
 - d) Township Council
 - e) Mitchell Little, Chief of Police
 - f) Barnacle Bill's Inc
1968 Route 35 North
Ortlely Beach, NJ 08751
 - g) NJ Department of Law & Public Safety
Division of Consumer Affairs
Legalized Games of Chance Control Commission
P.O. Box 46000
Newark, NJ 07101

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS DOVER MALL, BLOCK 404, LOTS 58, 69.02 AND 70 FOR PHASE 1 AND ACCEPTING MAINTENANCE GUARANTEES FOR PHASE 2 (Route 37 & 166)

April 14, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Dover Mall, Block 404, Lots 58, 69.02 & 70.

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 portion of the Performance Cash Bond in the amount of \$88,775.00 currently on deposit in account # X-18- -101-474 is hereby released with applicable interest if any;

2)Remainder of Bond in the amount of \$88,775.00 currently on deposit in account # X-18- -101-474 will stay on deposit to represent the Maintenance Guarantee.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Dan-D Inc.
952 Lakewood Road
Toms River, NJ 08753

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 404, LOTS 58 & 69.02 – PHASE ‘Z’ (Route 37 & 166)

April 14, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 404, Lots 58 & 69.02 Phase 'Z'.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.

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 Dan-D, 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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Dan-D, Inc.
952 Lakewood Road
Toms River, NJ 08753

Arthur Anderson, 12 Clark Street, questioned the following Resolution.

Township Administer Guardian responded.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE APPOINTMENT OF ROBERT J. CHANKALIAN, TO SERVE AS THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE TOWNSHIP OF TOMS RIVER, EFFECTIVE APRIL 14, 2020

APRIL 14, 2020

WHEREAS, Mayor Maurice B. Hill, Jr., has nominated Robert J. Chankalian to serve in the position of Director of the Department of Community Development of the Township of Toms River; and

WHEREAS, the Township Council has considered same and hereby gives its consent to this appointment;

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 hereby consents to the appointment of Robert J. Chankalian to serve as the Director of the Department of Community Development, effective April 14, 2020.
2. Mr. Chankalian shall receive a salary within the range of the prevailing salary ordinance.
3. Township Clerk shall send a certified copy of this resolution 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) Personnel Dept.
- g) Human Resources
- h) Robert J. Chankalian

Council President Maruca requested the following Resolution to be tabled to April 28, 2020.

A motion was made by Council Member Huryk, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and with Council President Maruca voting yes, to table the following Resolution to April 28th, 2020:

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE PROPOSALS FOR AN EFFICIENCY STUDY FOR THE TOWNSHIP OF TOMS RIVER

REPORTS

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

	2020	2019
Bey Lea Golf Course – March	\$68,393.32	\$84,462.68
Bey Lea Golf Course – YTD through March	\$76,498.41	\$141,766.92
Winding River Ice Rink – March	\$83,160.00	\$122,171.72
Winding River Ice Rink – YTD through March	\$281,862.00	\$308,829.43
Building Permits - March	\$174,022.00	\$197,932.00
Building Permits – YTD through March	\$823,575.00	\$637,607.00

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **April 8, 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:

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

Purchase Order 20-01231, payable to Gregory McGuckin, Esquire, in the amount of \$2,524.50.

Purchase Order 20-01917, payable to NJ MVC Lease in the amount of \$322.50.

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

Purchase Order 20-01232, payable to Remington & Vernick Engineers in the amount of \$337.50.

Purchase Order 20-01917, payable to Recreation Salaries in the amount of \$8,547.96.

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

Purchase Order 20-01564, 20-10721, 20-01722, 20-01723, 20-01724, 20-01725, & 20-01726, payable to Owen Little & Assoc., Inc., in the amount of \$24,055.00.

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

Purchase Order 20-01231, payable to Gregory McGuckin, Esquire, in the amount of \$2,524.50.

Purchase Order 20-01917, payable to Magistrate Salaries in the amount of \$7,499.70.

Councilmen Lotano, Rodrick and Council Vice President Geoghegan did not have any abstentions.

ELECTED OFFICIALS COMMENTS

Mayor Hill spoke regarding Fulfill Organization; report on first 1/y of the year; COVID19 on Toms River, and involuntary furloughs.

Councilman Rodrick spoke on restructuring of Law Department.

Councilman Lotano spoke COVID19, and Fulfil accolades to those who volunteered.

Councilwoman Huryk thanked the Mayor and Council volunteers who participated in FulFil.

Councilman Kopp spoke regarding the success of social distancing.

Councilman Geoghegan spoke regarding COVID19.

Councilman Turnbach thanked first responders, doctors and nurses; Good Fridays basket disbursement.

Council President Maruca asked Chief Little for update COVID19, and extra patrols in the neighborhoods, and food distribution.

Chief Little update the public on the Toms River Police Department.

PUBLIC COMMENTS

Council President Maruca announced the public portion and asked if any one wished to email their questions in at this time to questions@tomsvivertownship.com.

Dennis Galante, 1149 Cherokee Court, emailed in regarding Ciba Geigy property valuation; the Business Improvement District budget, and foreclosures in Toms River.

Christine Hollingsworth, 73 E. Rolling Hills, emailed in asked if there was a roll call before the meeting started.

Scott Thompson, 112 Messenger Street, questioned the Route 37 and 166 State Road. He complained he couldn't hear the discussion.

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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 wit Council President Maruca voting yes, the the Public Hearing was declared closed.

No other business appearing, the meeting was **adjourned** at 7:14 P. M., on motion with 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.

No Executive Session was held.

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK