

April 28, 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 social media platform of YouTube Live with Council and Administration attending virtually from their own laptops from multiple locations to satisfy the social distancing mandate on April 28, 2020 at 6:00 PM.

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

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

**OPEN PUBLIC MEETINGS ACT**  
**STATEMENT**

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

Councilwoman Maruca also explained we are live on Youtube live and any questions from the public watching the meeting online could be emailed to [questions@tomsrivertownship.com](mailto:questions@tomsrivertownship.com), and we would read them to be answered at the end oif the meeting, with a 30 minute limit, and a 3 question max, one by one. If there are more questions than 3, you can email us again.

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 Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach and Council President Maruca voting yes, , to approve the **Regular Meeting of April 14, 2020**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

**HONORING RESOLUTIONS AND PRESENTATIONS- 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 Lotano, and carried that an ordinance entitled:

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

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 Lotano seconded the motion:

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

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

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

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

Council President Maruca announced we would be going out of order on the agenda and would now be opening up the public comment time of fifteen minutes for the 2020 Toms River Township Municipal Budget, so we could allow residents ample time to email us their questions. Council President then asked the public to take the next 15 minutes to email us their questions on the budget to [questions@tomsrivertownship.com](mailto:questions@tomsrivertownship.com), and in the meantime, we would jump back in order of the agenda to the ordinances on first reading so Council could proceed with Township business while questions were being emailed in.

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

**ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER  
104 (EMPLOYEE REGULATIONS AND BENEFITS) OF THE TOWNSHIP CODE TO  
REVISE REGULATIONS GOVERNING DIRECT DEPOSIT FOR TOWNSHIP  
EMPLOYEES**

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

1. Section 104-20.1 (Direct deposit) of the Township Code is hereby repealed, and replaced with the following:

Section 104-20.1 (Direct deposit).

Pursuant to P.L. 2013, c.28, effective September 1, 2014, payroll direct deposit is mandatory for all Township employees. Negotiable paper checks will not be issued after the effective date of this provision.

2. All other provisions of Chapter 104 remain in full force and effect.

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

4. If any provision of this ordinance is for any reason invalidated by superseding legislation or judicial decision, that provision shall be severed, and the remaining provisions shall remain in full force and effect.

5. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and 20 days after publication as required by law.

A motion was made by Council Member Huryk, seconded by Council Vice President Geoghegan 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 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 28, 2020 at 6:00 p.m. It was considered for final passage at a public meeting held on May 12, 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, N.J. 08753

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

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

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

**ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ESTABLISHING A NEW CHAPTER 310 OF THE TOWNSHIP CODE GOVERNING THE PROVISION OF EMERGENCY MEDICAL SERVICES TO PATIENT CARE FACILITIES IN THE TOWNSHIP**

**WHEREAS**, patient care facilities have engaged in a practice of placing emergency calls for transportation of patients in non-emergency situations to the Township’s emergency medical services (“EMS”); and

**WHEREAS**, the use of the Township’s first responders for non-emergency medical care is injurious to the health, safety, and welfare of Township’s residents, in that it deprives first responders of the ability to respond to true emergencies; and

**WHEREAS**, the Township Council seeks to discourage such practices by requiring private care facilities to have available private ambulance providers for non-emergency calls and requiring reimbursement in the form of a fee for the dispatch of the Township’s EMS for non-emergency medical care calls made to patient care facilities:

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

1. A new Chapter 310 of the Township Code, entitled “Emergency Medical Services,” is hereby established, to provide as follows:

**ARTICLE I  
Emergency Medical Services for Patient Care Facilities**

**§310-1. Purpose and scope; definitions.**

A. The purpose of this article is to preserve and enhance the availability of emergency medical services for legitimate medical emergency

situations in the Township by regulating the use of emergency medical services in certain non-emergency situations.

- B. For the purposes of this article, “patient care facilities” are defined as all state-licensed nursing homes, rest homes, health maintenance organizations, assisted living facilities, health-care facilities providing in-patient services, and other licensed or unlicensed medical care providers with the capacity to treat 10 or more outpatients simultaneously.

**§310-2. Requirements for private ambulance service.**

- A. All patient care facilities located within the Township are required to own, lease, rent or have promptly available by contract sufficient, appropriately staffed private ambulance services for the treatment and transport of patients in need of non-emergency medical care. Such ambulance services shall be available 365 days per year and 24 hours per day.
- B. Each patient care facility subject to this article shall file proof of compliance with subsection A within 60 days of the effective date of this article and thereafter annually on or before January 1.
  - (1) The required proof must consist of a written contract with no less than two private ambulance service providers under which such providers are obligated to respond promptly to the patient care facility.
  - (2) Alternatively, if the patient care facility elects to own, operate, and provide its own ambulance service, then the required proof must consist of written documentation identifying the make, model, year, color, serial number, license plate number, location, and staffing of each ambulance.
  - (3) The required proofs must be timely submitted to the Township Clerk along with a certification signed by the resident director, manager, or other authorized corporate officer of the patient care facility affirming: (a) that adequate private ambulance services are available; and (b) that all agents and employees of the facility have been apprised of and trained in the use of such private ambulance services.

**§310-3. Violations; penalties.**

- A. The failure of a patient care facility to comply with the requirements of §310-2A and B constitutes a violation of this Article. Both the patient care facility and its resident director, manager, or authorized corporate officer are liable for such violations, which are subject to the maximum fines and penalties established under N.J.S.A. 40:49-5 and 40:69A-29, and any subsequent amendments or supplements to those statutes.

B. In the event that an employee or agent of a patient care facility located in the Township takes actions resulting in the dispatch of an emergency medical services (“EMS”) squad and the responding EMS squad, in its sole discretion, determines that the dispatch did not involve circumstances requiring the use of an advanced life support or paramedic unit, the first aid squad shall provide the Township written certification to that effect and the patient care facility shall be subject to a dispatch fee of \$750.00, payable to the Township. Any such fees collected by the Township shall be remitted to the appropriate EMS squad pursuant to N.J.S.A. 40:5-2.

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

3. 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.

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

**NOTICE 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 28, 2020 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on May 12, 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, May 1, 2020.

Council President Maruca announced the allotted fifteen minute timeframe had ended for residents to email us any questions on the 2020 Township budget, and asked the emailed questions to be read one by one.

Debbie Martin of 1921 Ocean Ave, Unit 2, Ortle Beach commented on her taxes rising.

Dennis Galante of 1149 Cherokee Court questioned how could we as a township afford since an increase.

Councilman Lotano then asked Alex Davidson, our Township CFO, to explain where the increase came from and broke it down.

Councilman Rodrick spoke of the reasons he felt tax rate rose.

Scott Thompson said Mr. Rodricks comments were not wrong.

No further comments from the public appearing, 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 to close the Budget's Public Hearing. Council President Maruca reminded the public the vote on the 2020 budget is scheduled to be held on May 12, 2020.

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

Resolution of the Township of Toms River,  
County of Ocean, State of New Jersey, to Amend 2020  
Introduced Budget in accordance with the Provision of  
NJSA 40A:4-9

April 28, 2020

WHEREAS, the local municipal budget for 2020 was approved on the 31<sup>st</sup> day of March,  
and;

WHEREAS, the public hearing on said budget was advertised on April 3, 2020, and

WHEREAS, it is desired to amend said approved budget; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Toms River, County of Ocean that the following amendments to the approved 2020 budget be made:

**CURRENT FUND:**

<u>ANTICIPATED REVENUES</u>	<u>FCOA</u>	<u>From</u>	<u>To</u>
<b><u>Miscellaneous Revenues</u></b>			
3. Section A: Local Revenues:			
Fees and Permits	08-105	\$ 860,000.00	\$ 700,000.00
Beach Fees	08-108	500,000.00	250,000.00
Fines and Costs: Municipal Court	08-112	900,000.00	800,000.00
3. Section C: Dedicated Uniform Construction			

Code Fees Offset with Appropriations  
(N.J.S.A. 40A:4-36 and N.J.A.C. 5:23-4.17)

	Uniform Construction Code Fees	08-160	2,500,000.00	2,200,000.00
3.	Section F: Special Items of Revenue Anticipated with Prior Written consent of Director of Local Government Services-Public and Private Revenues:			
	FEMA - Flood Mitigation Assistance	10-744		12,494.98
	Data Driven Approaches To Crime & Traffic Safety (DDACTS)	10-695		22,500.00
3.	Section G: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Other Special Items:			
	Reserve for Payment of Debt	08-227	2,100,000.00	3,000,000.00
	General Capital Fund Balance	08-228	336,050.01	1,000,000.00
6.	Amount to be Raised by Taxes for Support of Municipal Budget	07-190	88,121,480.99	87,468,599.23
7.	Total General Revenues	13-299	<u>\$134,482,669.06</u>	<u>\$134,618,732.27</u>

**GENERAL APPROPRIATIONS**

8.	(A) Operations - Within "CAPS"			
	Department of Police - Salaries & Wages	25-240	\$ 26,300,536.00	\$26,148,481.00
	Community Service Prgm - Salaries & Wages	25-261	325,039.10	225,039.10
	Solid Waste Collection - Salaries & Wages	26-305	2,534,600.00	2,434,600.00
	Recycling - Salaries & Wages	26-305	2,651,800.00	2,551,800.00
8.	(E ) Deferred Charges and Statutory Expenditures - Municipal within "CAPS"			
	(1) Deferred Charges			
	Anticipated Deficit - Ice Rink Utility	46-860		350,000.00
	Anticipated Deficit - Golf Course Utility	46-861		750,000.00
	(H-1) Total General Appropriations for Municipal Purposes within "CAPS"		<u>99,742,124.40</u>	<u>100,390,069.40</u>
	(A) Operations -Excluded from "CAPS"			
	Shared Service Agreements			
	Berkeley Construction Office	42-118	65,000.00	10,000.00
	Public and Private Programs Offset by Revenues:			
	FEMA - Flood Mitigation Assistance	41-744		16,659.98
	Data Driven Approaches To Crime & Traffic Safety (DDACTS)	41-695		22,500.00
8.	Total Shared Service Agreements	42-999	<u>690,420.00</u>	<u>635,420.00</u>
8.	Total Public and Private Programs Offset by	40-999	<u></u>	<u></u>



	Revenue		<u>1,171,961.06</u>	<u>1,211,121.04</u>
8.	Total Operation - Excluded from "CAPS"	34-305	<u>4,307,581.06</u>	<u>4,291,741.04</u>
8.	(C) Capital Improvements - Excluded from "CAPS"			
	Capital Improvement Fund	44-901	1,275,000.00	675,000.00
8.	Total Capital Improvements Excluded from "CAPS"	44-999	<u>1,575,000.00</u>	<u>975,000.00</u>
8.	(M) Reserve for Uncollected Taxes	50-899	<u>10,918,469.00</u>	<u>11,022,427.23</u>
	Total General Appropriations	34-499	<u>\$134,482,669.06</u>	<u>\$134,618,732.27</u>

**DEDICATED GOLF COURSE UTILITY BUDGET**

<u>DEDICATED REVENUES FROM GOLF COURSE UTILITY</u>		<u>FCOA</u>	<u>From</u>	<u>To</u>
10.	Green Fees	08-512	\$ 1,100,000.00	\$ 396,750.00
10.	Concession Income	08-506	96,750.00	50,000.00
10.	Deficit (General Budget)	08-549		750,000.00
10.	Total Golf Course Utility Revenues	08-599	<u>\$ 1,434,024.00</u>	<u>\$ 1,434,024.00</u>

**DEDICATED ICE RINK UTILITY BUDGET**

<u>DEDICATED REVENUES FROM GOLF COURSE UTILITY</u>		<u>FCOA</u>	<u>From</u>	<u>To</u>
10.	Ice Rink Fees	08-512	\$ 895,000.00	\$ 545,000.00
10.	Deficit (General Budget)	08-549		350,000.00
10.	Total Ice Rink Utility Revenues	08-599	<u>\$ 1,115,000.00</u>	<u>\$ 1,115,000.00</u>

**OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND**

<u>DEDICATED REVENUES FROM TRUST FUND</u>		<u>FCOA</u>	<u>From</u>	<u>To</u>
	Reserve Funds	54-101	\$ -	\$ 186,004.22
	Total Trust Fund Revenues	54-299	<u>\$ 1,944,934.23</u>	<u>\$ 2,130,938.45</u>

**APPROPRIATIONS**

	Development of Lands for Recreation and Conservation - Other Expense	54-385	\$ 213,995.78	\$ 400,000.00
	Total Trust Fund Appropriations	54-499	<u>\$ 1,944,934.23</u>	<u>\$ 2,130,938.45</u>

BE IT FURTHER RESOLVED, that this complete amendment in accordance with the provision of N.J.S.A. 40A:4-9, be considered by the Township Governing Body, and

BE IT FURTHER RESOLVED, that this complete amendment be advertised in the Asbury Park Press in the issue of Friday May 1<sup>st</sup> 2020 and that said publication contain notice of public hearing on said amendment to be held virtually at [www.tomsrivertownship.com](http://www.tomsrivertownship.com) on May 12<sup>th</sup>, 2020 at 6:00 PM. The amended budget is included in its entirety on [www.tomsrivertownship.com](http://www.tomsrivertownship.com).

BE IT FURTHER RESOLVED, that two certified copies of this Resolution be filed forthwith with the Division of Local Government Services for certification of the 2020 Municipal Budget so amended along with each of the following:

- Business Administrator
- Township Attorney
- Township Auditor
- Chief Financial Officer

Approved as to Content:

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Alexander P. Davidson, CFO

Business Improvement Director Alizar Zorojew then gave a speech about the 2020 BID budget and its programs planned for 2020.

Council President Maruca opened up Public Comment regarding the 2020 Business Improvement District Budget.

Dennis Galanti of 1149 Cherokee Court asked about budget numbers and how much of it went to payroll. Mr. Zorojew answered with detailed explanation.

With no further comments from the public appearing, 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 Council President Maruca to close the Budget's Public Hearing.

A motion was made by Council Member Turnbach, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, Council President Maruca voting yes, and Councilman Rodrick abstaining, to approve the 2020 BID budget.

A motion was made by Council Member Huryk, seconded by Council Member Vice President 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, URGING THE GOVERNOR AND THE LEGISLATURE TO ENACT SENATE BILL NO. 2346 TO EXTEND CERTAIN PERMITS DURING THE COVID-19 EMERGENCY**

**APRIL 28, 2020**

**WHEREAS**, the COVID-19 emergency, and the restrictions that have been imposed to combat the pandemic, have caused a national economic downturn and halted many residential and commercial construction projects; and

**WHEREAS**, as the emergency persists, many the governmental approvals on those projects may expire with the passage of time; and

**WHEREAS**, the strict social distancing measures implemented to combat COVID-19 have halted or delayed much government activity; and

**WHEREAS**, it is necessary to toll the term of governmentally-issued approvals and permits in order to prevent the abandonment of approved projects and activities; and

**WHEREAS**, the New Jersey Senate has introduced S2346, which would establish such a tolling period until the expiration of the Governor's state of emergency expires:

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

1. The Township Council urges the State Legislature to pass and the Governor to sign into law S2346 to toll the expiration of governmentally-issued permits and approvals during the pendency of the state of emergency declared in response to the COVID-19 pandemic.

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) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Engineering Department
- f) Building Department
- g) Zoning Department
- h) Planning Board
- i) Public Works Department
- j) Governor Phil Murphy
- k) 9<sup>th</sup> District Legislators
- l) 10<sup>th</sup> District Legislators
- m) 12<sup>th</sup> District Legislators
- n) 30<sup>th</sup> District Legislators

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

**RESOLUTION OF THE TOWNSHIP COUNCIL  
OF THE TOWNSHIP OF TOMS RIVER, OCEAN  
COUNTY, NEW JERSEY, AMENDING A  
RESOLUTION CONSENTING TO THE  
ISSUANCE OF CERTAIN SHORT-TERM NOTES  
BY THE TOMS RIVER MUNICIPAL UTILITIES  
AUTHORITY**

**APRIL 28, 2020**

**WHEREAS**, the Toms River Municipal Utilities Authority (the “Authority”) is a municipal utilities authority organized and existing under the provisions of the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the “Act”); and

**WHEREAS**, the Township of Toms River (the “Township”) and the Authority have previously entered into a Service Contract dated as of June 1, 1975 (the “Service Contract”), by which the Township agrees, inter alia, to pay certain “Annual Charges” to the Authority in the event the revenues of the Authority are not sufficient to pay the expenses of the Authority (including debt service on the Authority’s bonds and notes); and

**WHEREAS**, Section 411 of the Service Contract provides, in pertinent part, that the Township is relieved from making any payments to the Authority on account of the principal of or interest on Authority obligations that mature within three years from their date (the “Short Term Bonds”), unless the Authority takes certain actions to timely authorize, sell and issue refunding obligations prior to the maturity of such Short Term Bonds; and

**WHEREAS**, Section 411 of the Service Contract also provides that the Township may, by its written consent, release the Authority from the requirements of said Section 411; and

**WHEREAS**, on February 12, 2019 the Township adopted a resolution (the “Consent Resolution”) waiving the provisions of Section 411 of the Service Contract, insofar as

applicable to the Authority's financing of the "2019 Projects" (as defined in the Consent Resolution by reference to attached Exhibit A-1 and Exhibit A-2) through the issuance of up to \$3,900,000 in short-term debt obligations under the New Jersey Infrastructure Bank ("NJIB") financing program; and

**WHEREAS**, said Exhibit A-1 included various project components, including, *inter alia*, project components described generally as "Dig/Replace Pipe", "Lakehurst Road Force Main", "Foster Road Pipe Replacement" and "Sewer/Manhole Rehabilitation" (collectively, the "Pipes and Manholes Projects"); and

**WHEREAS**, on June 19, 2019, the Authority issued to the NJIB its "Note Relating to the Construction Loan Financing Program of the New Jersey Infrastructure Bank (f/k/a New Jersey Environmental Infrastructure Trust)" in the principal amount of \$754,000, representing an interim construction loan to finance the costs of the various equipment purchases referenced in said Exhibit A-2; and

**WHEREAS**, accordingly, up to \$3,146,000 in short-term debt obligations may still be issued under the NJIB financing program in respect of the Pipes and Manholes Projects; and

**WHEREAS**, the Authority has recently determined to undertake certain emergency repairs to the Windsor Avenue sewer line, and has determined to finance the cost thereof under the NJIB financing program; and

**WHEREAS**, by resolution adopted on March 24, 2020, the Authority authorized the amendment of the Pipes and Manholes Project so as to include the emergency repairs to the Windsor Avenue sewer line; and

**WHEREAS**, the Authority has determined that the cost of said emergency repairs to the Windsor Avenue sewer line may be financed within the amount of short-term debt obligations that may issued under the NJIB financing program in respect of the Pipes and Manholes Projects, and has accordingly requested that the NJIB permit the proceeds of such future short-term debt obligations to be used, in part, to finance the cost of said emergency repairs to the Windsor Avenue sewer line; and

**WHEREAS**, the NJIB has agreed to such request, and the Authority intends to cause the loan schedules for such short-term debt obligations to reflect the addition of said emergency repairs to the Windsor Avenue sewer line and the deletion of the "Lakehurst Road Force Main" and "Foster Road Pipe Replacement" project components; and

**WHEREAS**, the Township now desires to amend the provisions of the Consent Resolution so as to include said emergency repairs to the Windsor Avenue sewer line within the description of the approved Pipes and Manholes projects contained in said Exhibit A-2;

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

Section 1. Exhibit A-1 of the Consent Resolution is hereby amended to add at the end thereof an additional approved purpose, to read as follows:

Emergency Repair of Windsor Avenue Sewer: Replacement of one (1) failed 25 ft deep Manhole, two (2) 48-inch diameter (48" Ø) Pipe sections, one (1) 8-inch diameter (8" Ø) Pipe section, and conversion of 8-inch (8" Ø) Outside Manhole Drop Connection to Inside Manhole Drop Connection.

Section 2. This resolution shall take effect immediately.

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

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

L-Apr 28, 2020-19

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

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, URGING THE SENATE AND THE HOUSE OF REPRESENTATIVES TO PASS AND PRESIDENT TRUMPTO SIGN H.R. NO. 6454 (“EQUITY FOR DISASTER VICTIMS ACT OF 2020”), TO CANCEL REPAYMENT FOR COMMUNITY DISASTER LOANS ISSUED FOR SUPERSTORM SANDY, TO EASE THE FINANCIAL BURDEN ON MUNICIPALITIES CAUSED BY THE COVID- 19 PANDEMIC**

**APRIL 28, 2020**

**WHEREAS**, H.R. No. 6454, also known as the “Equity for Disaster Victims Act of 2020” was introduced in the House of Representatives on April 3, 2020, by Representatives Chris Smith and Jeff Van Drew; and

**WHEREAS**, this legislation calls for the cancellation of the uncollected balance of community disaster loans, such as those received by the Township of Toms River, as the result of Superstorm Sandy, in order to free up municipal reserves to deal with the COVID-19 Pandemic;

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

1. The Township Council urges the Senate and House of Representatives to pass, and President Trump to sign H.R. 6454 (“Equity for Disaster Victims Act of 2020”), to cancel repayment for community disaster loans issued for Superstorm Sandy, to ease the financial burden on municipalities caused by the COVID-19 pandemic.

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) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Governor Phil Murphy
- f) 9<sup>th</sup> District Legislators
- g) 10<sup>th</sup> District Legislators
- h) 12<sup>th</sup> District Legislators
- i) 30<sup>th</sup> District Legislators
- j) Honorable Jeff Van Drew  
United States Congressman  
331 Cannon HOB  
Washington, D.C. 20515
- k) Honorable Chris Smith  
United States Congressman  
2373 Rayburn House Office Building  
Washington, D.C. 20515
- l) Honorable Robert Menendez  
United States Senator  
528 Hart Senate Office Building  
Washington, D.C. 20510
- m) Honorable Cory Booker  
United States Senator  
359 Dirksen Senate Office Building  
Washington, D.C. 20510
- n) Honorable Andy Kim  
United States Congressman  
1516 Longworth HOB  
Washington, D.C. 20515
- o) Honorable President Donald J. Trump  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

A motion was made by Council Member Kopp, 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 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, URGING GOVERNOR MURPHY AND THE NEW JERSEY TURNPIKE AUTHORITY TO RECONSIDER PLANS TO INCREASE TOLLS ON THE GARDEN STATE PARKWAY AND THE NEW JERSEY TURNPIKE, AND URGING GOVERNOR MURPHY TO FILL THE EXISTING VACANCY ON THE NEW JERSEY TURNPIKE AUTHORITY BOARD OF COMMISSIONERS WITH A RESIDENT OF OCEAN COUNTY**

**APRIL 28, 2020**

WHEREAS, the New Jersey Turnpike Authority has proposed toll hikes affecting the Garden State Parkway and New Jersey Turnpike; and

WHEREAS, Ocean County continues to see its population grow and along with that comes the need to move people to and from jobs, medical appointments, and recreational activities, just to name a few destinations; and

WHEREAS, our citizens heavily rely on the Garden State Parkway and the New Jersey Turnpike to move both locally and across the state; and

WHEREAS, with almost 40-miles of the Garden State Parkway running through Ocean County, our residents will be among the hardest hit by any proposed toll increases; and

WHEREAS, the Garden State Parkway serves as the main artery for our motorists who need to access jobs, be it north or south, and any proposed toll hike would have a negative effect as it increases the cost of a daily commute; and

WHEREAS, the State of New Jersey has not given Ocean County's motorists any traveling options; and

WHEREAS, Route 9, the other north-south artery, has not changed since it was first constructed in the 1920's, remaining one lane in each travel direction throughout the course of the County while, in the meantime, our population has grown almost 600,000 people; and

WHEREAS, Ocean County has been continually informed by state transportation officials that dualization of Route 9 will probably never occur; and

WHEREAS, it is important to highlight that these routes are for more than just leisurely travel, but are designated evacuation routes during times of emergencies; and

WHEREAS, Ocean County, as a tourism destination, sees its year-round population nearly double, which could result in a million or more people having to use these roads to leave the area during a natural disaster; and

WHEREAS, in the last few decades, the state has made improvements to the Garden State Parkway, constructing new interchanges and upgrading existing ones, but those improvements did not come to us simply because we needed them. It helped substantially to have representation on former Highway Authority and Ocean County providing the initial funding to obtain the design and permitting of many of these projects; and

WHEREAS, Ocean County continues its urging of the state to provide improved rail services to Monmouth and Ocean Counties; and



WHEREAS, Ocean County motorists, based on volume, already pour millions of dollars into the parkway through the toll system; and

WHEREAS, Ocean County residents will feel the financial burden of this action over and over again, not just on the road, but in our stores and as consumers when prices go up in order to meet the demands on a shipping industry that is also paying more to bring us goods and services; and

WHEREAS, the increase in tolls also will negatively affect the state's multibillion dollar tourism industry, which is a leading economic engine in Ocean County, providing more than \$4.7 billion annually; and

WHEREAS, local roads, already over-burdened by traffic will grow even more congested and driver's attempt to avoid the Garden State Parkway;

**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. It hereby strongly urges Governor Murphy to fill the existing vacancy on the New Jersey Turnpike Authority Board of Commissions with a resident of Ocean County.

2. It urges Governor Murphy and the New Jersey Turnpike Authority to reconsider any plan that increases tolls on the Garden State Parkway and the New Jersey

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
- f) 9<sup>th</sup> Legislative District
- g) 10<sup>th</sup> Legislative District
- h) 12<sup>th</sup> Legislative District
- h) 30<sup>th</sup> Legislative District
- i) Governor Phil Murphy
- j) All Ocean County Mayors
- k) New Jersey Turnpike Authority

## **CERTIFICATION**

I, **ALISON CARLISLE**, Municipal Clerk of the Township of Toms River, do hereby certify that the foregoing resolution was duly adopted by the Township of Toms River Township Council at a meeting held on the **28<sup>th</sup>** day of **April, 2020**.

---

**ALISON CARLISLE  
MUNICIPAL CLERK**

**CONSENT AGENDA**

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

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

*RESOLUTION*

*APRIL 28, 2020*

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
<i>T.D.BANK ATTN; BRIAN POLK</i>	<i>1082.15</i>	<i>38</i>	<i>2020/2</i>	<i>\$ 945.44</i>
			<i>2020/1</i>	<i>932.93</i>
			<i>TOTAL</i>	<i>\$1,878.37</i>
<i>WELLS FARGO REAL ESTATE SER LLC</i>	<i>1694.03</i>	<i>21</i>	<i>2019/3</i>	<i>\$1,403.05</i>

			<i>2020/1</i>	<i>1,384.48</i>
			<i>TOTAL</i>	<i>\$2,787.53</i>
<i>:</i>				
<i>TOTAL:</i>				<i>\$4,665.90</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:*

**RTC304282020.DOC**

RESOLUTION

APRIL 28, 2020

WHEREAS, the Township Council of the Township of Toms River, adopted resolutions approving the transfer of monies to overpayment for the purpose of refund; and,

WHEREAS, said resolution inadvertently omitted certain names, block and lots, and/or amounts;

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

1. The following resolutions be and the same are hereby corrected as follows:

<u>RESO</u>	<u>NAME</u>	<u>BLOCK</u>	<u>LOT</u>	<u>YEAR</u>	<u>AMOUNT</u>
RTC404142020	BLUE DIAMOND ENT	1076.09	42	2019/4	\$2,441.10

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

Approved as to content:

\_\_\_\_\_

RTC104282020DOC

*RESOLUTION*

*APRIL 28, 2020*

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
<i>AYRA PROPERTIES, LLC</i>	<i>260</i>	<i>44</i>	<i>2019/4</i>	<i>\$906.68</i>
<i>KELLY CONSTRUCTION CO, LLC</i>	<i>1031</i>	<i>1</i>	<i>2019/4</i>	<i>5,407.14</i>
<i>TOTAL:</i>				<i>\$6,313.82</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:*

**RTC20482020.DOC**

**CORRECTING 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. WITH A FUTURE EFFECTIVE DATE**

**APRIL 28, 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 effective date is to be determined in the future; 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 future effective date to be determined.** 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, AUTHORIZING THE AWARD OF OPEN-ENDED CONTRACTS FOR THE SUPPLY OF PRINTED FLAT FORMS, LETTERHEADS AND ENVELOPES TO TC SQUARED LLC D/B/A CENTURION PRINTING; CONCEPT PRINTING D/B/A CONCEPT PRINT; RIDGEWOOD PRESS; AND PAPER MART INC.; AS THE LOWEST BIDDERS, MEETING ALL OF THE BID SPECIFICATIONS**

**APRIL 28, 2020**

**WHEREAS**, the Division of Purchasing for the Township of Toms River has requested authorization to award open-ended contracts for the Supply of Printed Flat Forms, Letterheads and Envelopes; and

**WHEREAS**, bids were invited on March 26, 2020 for the Supply of Printed Flat Forms, Letterheads and Envelopes; and

**WHEREAS**, bids were received from the following vendors:

Urner Barry  
1001 Corporate Circle, Suite 1  
Toms River, NJ 08755

TC Squared LLC  
D/B/A Centurion Printing  
352 Market Street  
Kenilworth, NJ 07033

Concept Printing  
D/B/A Concept Print  
40 Lydecker Street  
Nyack, NY 10960

Ridgewood Press  
609 Franklin Turnpike  
Ridgewood, NJ 07450

Paper Mart Inc.  
151 Ridgedale Avenue  
East Hanover, NJ 07936

**WHEREAS**, the bids have been reviewed by the Division of Purchasing, and it is their recommendation that contracts be awarded to TC Squared LLC D/B/A Centurion Printing, Concept Printing D/B/A Concept Print, Ridgewood Press and Paper Mart Inc., as the lowest bidders, meeting all of 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 open-ended contracts for the Supply of Printed Flat Forms, Letterheads and Envelopes to the following vendors, as the lowest bidders, meeting all of the bid specifications:



**TC Squared, LLC D/B/A Centurion Printing:** – Item Nos. 4, 6, 7, 14, 15, 17, 18, 23, 32, 34, 35, 39 – 41, 44-52, 64, 65, 67, 72, 73, 77, 90a & b, 93, 97, 99, 100, 103a – f and 104a - f.

**Concept Printing D/B/A Concept Print:** Item Nos. 7, 16, 27, 28, 30, 36, 76, 79, 81, 84, 85, 88, 92, 102, and 105 – 110.

**Ridgewood Press:** Item Nos. 1-3, 5, 7, 8, 10 – 13, 19 – 22, 24 – 26, 29, 31, 33, 37, 38, 42, 43, 53 – 63, 66, 68, 69, 71, 74, 75, 78, 80, 82, 83, 86, 87, 89, 91, 94, 95, 98 and 101.

**Paper Mart, Inc.:** Item Nos. 9 and 96.

2. Item Nos. 58, 72 and 103 had tied prices and award was determined via coin toss.

3. Item No. 70 is being rejected as excessive.

4. The Term of the Contracts shall be effective from April 24, 2020 through April 23, 2021. The award of these contracts are subject to all the terms and conditions of the bid specifications. These will be open-ended contracts with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget year.

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

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

- a) Division of Purchasing
- b) Chief Financial Officer
- c) Township Attorney
- d) All Aforementioned Bidders

L-Apr 28, 2020-4

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds awarded to:

**TC Squared, LLC D/B/A Centurion Printing**

**Concept Printing D/B/A Concept Print**

**Ridgewood Press, and**

**Paper Mart Inc.**

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

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: April 28, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF OPEN-ENDED CONTRACTS TO ORIGINAL WATERMEN, INC., EAST COAST DESIGNS, DOT DESIGNING LLC AND KEYPORT ARMY NAVY, WHO MEET ALL THE BID SPECIFICATIONS, FOR WORK, SPORT AND LIFEGUARD CLOTHING FOR VARIOUS DEPARTMENTS IN THE TOWNSHIP, AND AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE FOR REBIDS FOR ITEMS WHICH WERE REJECTED BECAUSE THE SPECIFICATIONS WERE NOT MET, AND FOR ITEMS WHICH DID NOT RECEIVE BIDS**

**APRIL 28, 2020**

WHEREAS, bids were invited on March 26, 2020, for the Supply of Work, Sport and Lifeguard Clothing for Various Departments in the Township; and

WHEREAS, bids were received, as follows:

Original Watermen, Inc.  
1198 Joshua Way  
Vista, CA 92081

East Coast Designs  
90 Columbus Ave.  
Hasbrouck Heights, NJ 07604

Dot Designing LLC  
242 Possum Hollow Rd.  
Monroe Township, NJ 08831

Keyport Army Navy  
PO Box 985  
Brick, NJ 08723

Concept Printing, Inc.  
40 Lydecker St.  
Nyack, NY 10960

WHEREAS, the bids have been reviewed by the Purchasing Division, and recommendation has been made to award open-ended contracts, as follows:

**Original Watermen, Inc.** – Item Nos. 90, 104, 105, 109 and 114.

**East Coast Designs** – Item Nos. 73, 77 (sizes S, M, L, XL), 79, 83 and 84.

**Dot Designing LLC** – Item Nos. 13-16, 18-26, 28, 29, 31-34, 36, 37, 41, 62, 68, 71, 72, 74, 77 (size XXL only), 80-82, 91-103, 106, 108, 110, 112, 113, 115-118 and 120-128.

**Keyport Army Navy** – Item Nos. 1, 2, 4-12, 17, 30, 35, 38-40, 42-55, 57-61, 63-67, 69, 70, 75, 76, 78, 107, 111, 119 and 129.

The bid from Concept Printing, Inc. was rejected for a missing signature page.

Items 3 and 130 were rejected because the specifications were not met and will be rebid.

Items 27, 56 and 85-89 received no bids and will be rebid.

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 open-ended contracts for the Supply of Work, Sport and Lifeguard Clothing for Various Departments in the Township, as follows:

**Original Watermen, Inc.** – Item Nos. 90, 104, 105, 109 and 114.

**East Coast Designs** – Item Nos. 73, 77 (sizes S, M, L, XL), 79, 83 and 84.

**Dot Designing LLC** – Item Nos. 13-16, 18-26, 28, 29, 31-34, 36, 37, 41, 62, 68, 71, 72, 74, 77 (size XXL only), 80-82, 91-103, 106, 108, 110, 112, 113, 115-118 and 120-128.

**Keyport Army Navy** – Item Nos. 1, 2, 4-12, 17, 30, 35, 38-40, 42-55, 57-61, 63-67, 69, 70, 75, 76, 78, 107, 111, 119 and 129.

The bid from Concept Printing, Inc. was rejected for a missing signature page.

Items 3 and 130 were rejected because the specifications were not met and will be rebid.

Items 27, 56 and 85-89 received no bids and will be rebid.

2. The contract term shall commence on April 24, 2020 through April 23, 2021. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year.

3. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of these contracts are subject to all terms and conditions of the bid specifications.

4. The Purchasing Division is authorized to advertise for rebids for items which were rejected and for items which did not receive bids.

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) Office of Emergency Management
- f) Department of Public Works
- g) Department of Parks, Buildings & Grounds
- h) Recreation Department
- i) All Aforementioned Bidders

L-April 28, 2020-08

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the open-ended contracts awarded to Original Watermen, Inc., East Coast Designs, Dot Designing LLC and Keyport Army Navy, are contingent upon availability of funds in the appropriate municipal budget.

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: April 28, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AUTHORIZING A PROFESSIONAL SERVICE CONTRACT WITH THE FIRM OF T&M ASSOCIATES, TO PERFORM PRELIMINARY LEAD AND ASBESTOS TESTING FOR SEVERAL STRUCTURES SLATED FOR DEMOLITION AT CAMP ALBACONDO, FOR A TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$28,800.00**

**APRIL 28, 2020**

WHEREAS, the Township Council awarded contracts by way of resolution to various business entities for services provided in the 2019 calendar year; and

WHEREAS, resolution of the Township Council dated May 14, 2019, authorized the firm of T&M Associates be put on a pre-approved list for the calendar year 2019 for inspection and general engineering services, commencing retroactive to April 24, 2019 up to and including December 31, 2019, at the following rates:

Principal Engineer	\$148.00/hour
Project Manager (PE)	\$128.00/hour
Design Engineer (EIT)	\$107.00/hour

Design Engineer	\$ 97.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hour
Senior Designer	\$ 77.00/hour
Computer Technician	\$ 77.00/hour
Engineering Technician	\$ 77.00/hour
Survey Technician	\$ 66.00/hour
Senior CADD Operator	\$ 77.00/hour
CADD Operator	\$ 61.00/hour
Field Survey Crew	\$138.00/hour
Senior Inspector	\$ 87.00/hour
Inspector Level 1	\$ 51.00/hour
Inspector Level 2	\$ 71.00/hour
Secretary/Clerical	\$ 33.00/hour
Delivery	\$ 33.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

subject to the execution of a contract, the availability of funds, and the adoption of the CY19 budget, for the period commencing retroactive to April 24, 2019 up to and including December 31, 2019; and

WHEREAS, resolution of the Township Council dated January 3, 2020, authorized an extension of certain professional service contracts to March 24, 2020, at the same rates approved in 2019, subject to the availability of funds and the adoption of the CY20 budget; and

WHEREAS, resolution of the Township Council dated March 24, 2020, authorized an extension of certain professional service contracts to May 12, 2020, at the same rates approved in 2019, subject to the availability of funds and the adoption of the CY20 budget; and

**WHEREAS, the Township requires professional engineering services to perform preliminary lead and asbestos testing for several structures slated for demolition at Camp Albacondo; and**

WHEREAS, T&M Associates, has submitted a proposal for this project dated April 7, 2020, T&M Project No. TRVROH-16002, in the total contract amount not to exceed \$28,800.00; and

WHEREAS, the Township Engineer has reviewed the proposal submitted by T&M Associates, and has recommended award of contract to T&M Associates for this project;

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

1. It hereby authorizes a contract with the firm of T&M Associates, for professional services to perform preliminary lead and asbestos testing for several structures slated for demolition at Camp Albacondo, in the total contract amount not to exceed \$28,800.00; in accordance with their Proposal dated April 7, 2020, Proposal No. TRVROH16002, at the following rates:

Principal Engineer	\$148.00/hour
Project Manager (PE)	\$128.00/hour
Design Engineer (EIT)	\$107.00/hour
Design Engineer	\$ 97.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hour
Senior Designer	\$ 77.00/hour
Computer Technician	\$ 77.00/hour
Engineering Technician	\$ 77.00/hour
Survey Technician	\$ 66.00/hour
Senior CADD Operator	\$ 77.00/hour
CADD Operator	\$ 61.00/hour
Field Survey Crew	\$138.00/hour
Senior Inspector	\$ 87.00/hour
Inspector Level 1	\$ 51.00/hour
Inspector Level 2	\$ 71.00/hour
Secretary/Clerical	\$ 33.00/hour
Delivery	\$ 33.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost

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

2. Funds in the maximum amount not to exceed \$28,800.00, are available in Account No. 0-24- -024-502. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement with the firm of T&M Associates. A copy of the Agreement and Proposal dated April 7, 2020 shall be attached to this resolution as Schedule "A", and made a part hereof.

4. A notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Purchasing Division

- c) Chief Financial Officer
- d) Township Attorney
- e) Township Engineer
- f) T&M Associates  
1144 Hooper Avenue  
Suite 202  
Toms River, NJ 08753  
Attn: Stephen Schreiber, P.E., CME  
Vice President/Department Manager

L-Apr 28, 2020-02

## CERTIFICATION

**THIS IS TO CERTIFY** that the funds for the professional service contract with the firm of T&M Associates, in the total maximum amount not to exceed \$28,800.00, are available in Account No. 0-24- -024-502, at the following rates:

Principal Engineer	\$148.00/hour
Project Manager (PE)	\$128.00/hour
Design Engineer (EIT)	\$107.00/hour
Design Engineer	\$ 97.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$133.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$112.00/hour
Senior Designer	\$ 77.00/hour
Computer Technician	\$ 77.00/hour
Engineering Technician	\$ 77.00/hour
Survey Technician	\$ 66.00/hour
Senior CADD Operator	\$ 77.00/hour
CADD Operator	\$ 61.00/hour
Field Survey Crew	\$138.00/hour
Senior Inspector	\$ 87.00/hour
Inspector Level 1	\$ 51.00/hour
Inspector Level 2	\$ 71.00/hour
Secretary/Clerical	\$ 33.00/hour
Delivery	\$ 33.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost

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 28, 2020

L-Apr 28, 2020-03

# **TOMS RIVER TOWNSHIP NOTICE**

The Township of Toms River has awarded a contract pursuant to a fair and open process (N.J.S.A. 19:44A-20.5) and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq. The resolution authorizing it is available for public inspection in the Office of the Township Clerk.

**AWARDED TO: THE FIRM OF T&M ASSOCIATES**

**SERVICES: ENGINEERING SERVICES TO PERFORM PRELIMINARY LEAD AND ASBESTOS TESTING FOR SEVERAL STRUCTURES SLATED FOR DEMOLITION AT CAMP ALBACONDO**

**COST: MAXIMUM AMOUNT NOT TO EXCEED \$28,800.00**

**TERM: COMMENCING APRIL 29, 2020 THROUGH COMPLETION OF THE PROJECT.**



**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 1 – WITH CFE EQUIPMENT CORPORATION, FOR ONE (1) NEW, UNICARRIERS CUSHION TIRE CF50LP FORKLIFT, FOR AN ADDITIONAL AMOUNT OF \$1,200.00, IN THE MAXIMUM AMOUNT NOT TO EXCEED AN \$23,696.00, WHICH AMOUNT INCLUDES THE \$1,200.00 MANUFACTURER’S REBATE**

**RESOLUTION DATED DECEMBER 23, 2019, AUTHORIZED THE PURCHASE OF THIS EQUIPMENT IN THE AMOUNT OF \$22,496.00, WHICH INCLUDED \$1,200.00 REBATE PROGRAM DISCOUNT FOR A TOTAL PURCHASE PRICE OF \$23,696.00**

**THE MANUFACTURER HAS ADVISED THAT THEY WILL REBATE THE \$1,200.00 AFTER FULL PAYMENT IS MADE, FOR A TOTAL PRICE AFTER THE RETURN OF THE REBATE OF \$22,496.00**

**APRIL 28, 2020**

WHEREAS, resolution of the Township Council dated December 23, 2019, authorized award of contract to CFE Equipment Corporation for the purchase of One (1) New UniCarriers Cushion Tire CF50LP Forklift for the Department of Public Works, in the total maximum contract price not to exceed \$22,496.00, which included a \$1,200.00 rebate; and

WHEREAS, CFE Equipment Corporation has advised the Township that the rebate program discount is actually a manufacturer’s rebate, and that full payment must be made in the amount of \$23,696.00, which includes the \$1,200.00 manufacturer’s rebate; and

WHEREAS, the manufacturer has advised that they will rebate the \$1,200.00 once payment in full is made in the total amount of \$23,696.00;

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

1. Change Order No. 1 – with CFE Equipment Corporation, to wit:

**DESCRIPTION OF CHANGE:**

Authorize Change Order No. 1, to increase purchase order in the amount of \$1,200.00 to cover the cost of the manufacturer’s rebate, which was deducted from the total price of the equipment, per resolution dated December 23, 2019. The rebate in the amount of \$1,200.00 will be returned by the manufacturer after full payment is made, in the amount of \$23,696.00.

# CERTIFICATION

**THIS IS TO CERTIFY** that the funds for Change Order No. 1, with CFE Equipment Corporation, in the amount of \$1,200.00 (manufacturer's rebate), for a total price of \$23,696.00, are available in Account No. X-04- -237-004 - \$22,027.47 and Account No. X-04- -248-001 - \$1,668.53.

The actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. The purchase orders will encumber the funds for the above account at that time.

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: April 28, 2020

28, 2020-07

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, URGING THE PRESIDENT AND CONGRESS TO ENACT H.R. 6467, THE CORONAVIRUS COMMUNITY RELIEF ACT (“CCRA”), TO PROVIDE CRITICAL FEDERAL FINANCIAL SUPPORT TO MUNICIPALITIES ADVERSELY IMPACTED BY THE COVID-19 PANDEMIC**

**APRIL 28, 2020**

**WHEREAS**, the COVID-19 pandemic has wreaked fiscal havoc on municipalities nationwide, resulting in increased emergency expenditures, shrinking revenue and tax collections, and slowing local economies; and

**WHEREAS**, the initial phases of federal economic stimulus under the CARES Act excluded New Jersey's municipalities from direct stabilization aid; and

**WHEREAS**, members of the House of Representatives have recently introduced H.R. 6467, the Coronavirus Community Relief Act (“CCRA”), which allocates an additional \$250 billion in emergency funding for municipalities with populations under 500,000, a group which includes every municipality in the State of New Jersey; and

**WHEREAS**, several members of the New Jersey congressional delegation have co-sponsored this legislation, which, if enacted, would provide desperately needed emergency funding for the state’s municipalities to address extraordinary local costs incurred in responding to COVID-19; and

**WHEREAS**, companion legislation has been introduced in the United States Senate; and

**WHEREAS**, all of New Jersey’s municipalities require this critical aid to protect the public health and welfare and jumpstart an economic recovery:

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

1. The Township Council supports and urges swift enactment of the H.R. 6467, the Coronavirus Community Relief Act (“CCRA”), so that municipalities receive critically-needed federal emergency funding to deal with the adverse fiscal impact of the COVID-19 pandemic.

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) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Honorable Robert Menendez  
United States Senator  
528 Hart Senate Office Building  
Washington, D.C. 20510
- g) Honorable Cory A. Booker  
United States Senator  
359 Dirksen Senate Office Building  
Washington, D.C. 20510
- h) Honorable Jeff Van Drew  
United States Congressman  
331 HOB  
Washington, D.C. 20515
- i) Honorable Andy Kim  
United States Congressman  
1516 Longworth HOB  
Washington, D.C. 20515  
&  
33 Washington Street  
Toms River, NJ 08753

- j) Honorable Christopher H. Smith  
United States Congressman  
2373 Rayburn House Office Building  
Washington, D.C. 20515

L-Apr 28, 2020-14

**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 135, LOT 5.01 (Route 70 & Yale Avenue)**

**April 28, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 135, Lot 5.01.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #FP0024456 in the amount of \$174,240.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Surety Bond #FP0024457 in the amount of \$6,533.88 which represents the Safety & Stabilization guarantee amount.
- 3) Check in the amount of \$19,360.00 which represents the ten percent portion of the performance guarantee amount.
- 4) Check in the amount of \$13,048.58 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by K-Land No. 3 LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. K-Land No. 3 LLC

**RESOLUTION AUTHORIZING THE TOWNSHIP OF TOMS RIVER  
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH  
P.L. 1994 c. 72**

**April 28, 2020**

WHEREAS, the local municipal budget for the year 2020 was introduced on the 31<sup>st</sup> day of March, 2020; and

WHEREAS, due to the State's delay in adopting its budget, the Ocean County Board of Taxation is unable to certify the Township of Toms River's tax rate at this time and the Township of Toms River Tax Collector will be unable to mail the Township's 2020 tax bills on a timely basis; and

WHEREAS, in order to meet statutory obligations to the County, School District and Fire Districts along with sustaining Municipal operations in meeting its financial obligations, maintaining the tax collection rate, providing uniformity for tax payments and save the unnecessary cost of interest on borrowing, the Chief Financial Officer in consultation with the Township of Toms River Tax Collector have computed an estimated tax levy in accordance with

N.J.S.A. 54: 4-66.3 and have both signed a certification attesting to the calculation;

WHEREAS, in accordance with Chapter 72 P.L. 1994, the Mayor and Township Council do not need the Director of the Division of Local Government Services to approve the estimated tax levy listed on the attached Schedule, which will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Toms River, County of Ocean that the Township of Toms River Tax Collector is hereby authorized to prepare and issue estimated tax bills for the third installment of the 2020 taxes.

BE IT FURTHER RESOLVED, that the Township of Toms River Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the third installment of 2020 based upon an annualized levy analysis totaling \$323,935,235.64. The Tax Collector shall proceed and take such actions as are permitted and required by

P.L. 1994, c. 72 (N.J.S.A. 55:4-66.2 and 54.4-66.3).

BE IT FURTHER RESOLVED, that in accordance with the law, third quarter installments of 2020 taxes shall not be subject to interest until the later

of either; August 10, 2020 or twenty-five calendar days after the date estimated bills were mailed. Contained on the estimated bill shall specify the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED that a certified copy of this resolution be provided by the Office of the Township Clerk to each of the following:

- A. Ocean County Board of Taxation
- B. Tax Collector
- C. Director of Finance/CFO

Approved as to Content:

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**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**

**APRIL 28, 2020**

WHEREAS, the Township of Toms River is desirous of receiving proposals for the following items/project:

**EFFICIENCY STUDY FOR 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. The Purchasing Division is hereby authorized to prepare specifications for the above-mentioned items/project.

2. The Purchasing Division is hereby authorized to advertise for the receipt of proposals 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) Human Resources

- c) Chief Financial Officer
- d) Township Attorney

A separate roll call was requested for item "G".

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

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PROCESSING OF AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION FOR OFFICER BRIAN JARKA**

**APRIL 28, 2020**

**WHEREAS**, the Township of Toms River has employed Brian Jarka as a police officer since May 1, 2003; and

**WHEREAS**, Officer Jarka is an active member of the Police and Fireman's Retirement System ("PFRS"); and

**WHEREAS**, Officer Jarka has met the minimum service credit requirement of at least four years for PFRS members; and

**WHEREAS**, the Township has received medical documentation from an examining physician establishing that Officer Jarka sustained injuries that permanently preclude him from performing the duties of his position without reasonable accommodation; and

**WHEREAS**, based on the medical documentation provided, the Township is satisfied that Officer Jarka is totally and permanently disabled and can no longer perform his assigned duties; and

**WHEREAS**, the Township is unable to provide an alternative to the PFRS-covered position with duties Officer Jarka is capable of performing; and

**WHEREAS**, PFRS regulations require a resolution from the governing body confirming Officer Jarka's permanent disability:

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

1. In accordance with PFRS regulations, the Township Council hereby consents to the processing of an involuntary disability retirement

application. The Department of Finance is hereby authorized to take whatever action necessary to effectuate the application process.

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. Chief Financial Officer
- d. Chief of Police
- e. Township Attorney
- f. Christopher Gray, Esq.  
Sciarra & Catrambone, LLC  
Briggs Professional Campus  
2057 Briggs Road, Suite 201  
Mount Laurel, NJ 08054  
*Counsel for Officer Brian Jarka*

Item "L" was considered next.

Scott Thompson from 112 Messenger Street had a comment on letter "L" applauding the effort of the Township for this.

With no other comments from the Public on item "L", a vote was taken.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ESTABLISHING A  
POLICY AND PROCEDURE FOR REIMBURSING PROPERTY  
OWNERS WHO SUSTAINED DAMAGE TO CURBS, SIDEWALKS  
AND/OR STREET TREES DURING THE TORNADO/STRAIGHT LINE  
WINDS OF APRIL 21, 2020, AND CHARGING SUCH EXPENSES TO  
THE PEDESTRIAN SAFETY FUND**

**APRIL 28, 2020**

WHEREAS, the Township of Toms River has initiated a limited reimbursement program to assist property owners who sustained damage to curbs, sidewalks and/or street trees during the tornado/straight line winds of April 21, 2020; and



WHEREAS, under the provisions of the 2006 Property Maintenance Code, as adopted by the Township, property owners are responsible for the maintenance, repair and replacement of curbs, sidewalks, and street trees and, under normal circumstances, property owners are responsible for all costs associated with this work; and

WHEREAS, the Township recognizes that the tornado/straight line winds of April 21, 2020, presented a unique set of circumstances which warranted financial assistance to property owners; and

WHEREAS, in most cases, property owners will be covered for damage to curbs, sidewalks and street trees through their private insurance carrier, with appropriate limits and deductibles; and

WHEREAS, in order to assist property owners who sustained damage during the tornado/straight line winds of April 21, 2020, the Township has established a program to reimburse property owners for their insurance deductibles up to \$750, subject to the following documentation being submitted to the Township, demonstrating that:

1. The damage occurred as a result of the storm on April 21, 2020.
2. The property owner submitted the claim to their insurance carrier and payment has been made. The Township must receive documentation demonstrating the deductible has not been waived.
3. The work was completed in accordance with Township standards under proper permits. A \$75 fee for a Street Excavation Permit will be imposed; however, posting a \$1,500.00 performance bond will be waived.
4. Copies of payments to a contractor must be provided.

WHEREAS, upon receipt and approval of this information, the Township will process a purchase order for payment to the property owner of record not to exceed \$750; and

WHEREAS, the Township's expenses shall be charged to the Pedestrian Safety Fund;

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. In order to assist property owners who sustained damage during the tornado/straight line winds of April 21, 2020, the Township has established a program to reimburse property owners for their insurance deductibles up to \$750, once proper documentation has been provided demonstrating that:

- a) The damage occurred as a result of the storm on April 21, 2020.
- b) The property owner submitted the claim to their insurance carrier and payment has been made by the carrier. The Township must receive documentation showing the deductible has not been waived.
- c) The work was completed in accordance with Township standards under proper permits. A \$75 fee for a Street Excavation Permit will be imposed; however, posting a \$1,500.00 performance bond will be waived.
- d) Copies of payments to a contractor must be provided.

2. Upon receipt and approval of this information, the Township will process a purchase order for payment to the property owner of record not to exceed \$750.

3. The Township's expenses shall be charged to the Pedestrian Safety Fund.

4. Anyone interested in participating in this program must fill out the attached form, Schedule "A" and submit their documentation to:

Office of the Township Engineer  
Wendy A. Birkhead, PE, CME  
Assistant Township Engineer  
33 Washington Street  
Toms River, NJ 08753

Documentation may also be e-mailed to:

WBirkhead@tomsvrivertownship.com

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

- a. Mayor Maurice B. Hill, Jr.
- b. Township Council
- c. Business Administrator
- d. Chief Financial Officer
- e. Township Attorney
- f. Township Engineer
- g. Building Department

## **SCHEDULE “A”**

(see attachment for Schedule A)

Councilman Turnbach Asked Council President if item “M” could be explained.

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 Resolution:

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY,  
EXTENDING THE GRACE PERIOD FOR PAYMENT OF REAL  
ESTATE TAXES TO THE TOWNSHIP OF  
TOMS RIVER THROUGH AND INCLUDING JUNE 1, 2020**

**APRIL 28, 2020**

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

1. It hereby authorizes an extension of the grace period for payment of real estate taxes due May 1st to the Township of Toms River through and including June 1, 2020, as permitted by State of New Jersey Executive Order No. 130 signed by the Governor on April 28, 2020.

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. Township Tax Assessor
- g. Township Tax Collector
- h. All Department Heads
- i. Division of Local Government Services

**REPORTS- None this meeting.**

## APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **April 23, 2020** was approved on motion by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes. The following respective exceptions to their votes were noted as abstentions to this vote:

Council President Maruca did not have any abstentions.

Councilman Turnbach abstained due to business conflicts on the following:

Purchase Order 20-02091 payable to TR Payroll- Item 28, Magistrate Salaries in the amount of \$7,499.70.

Purchase Order 20-01619 payable to Scott Basen, Esq. LLC in the amount of \$500.00

Purchase Order 20-01836 payable to the Toms River Democratic Club in the amount of \$105.00.

Councilwoman Huryk abstained due to business conflicts on the following:

Purchase Order 20-00162 payable to the Borough of Lavallette in the amount of \$314.62

Purchase Order 20-02091 payable to the Toms River Payroll- Recreation Salaries in the amount of \$7,545.95.

Purchase Order 20-01836 payable to the Toms River Democratic Club in the amount of \$105.00.

Councilman Kopp abstained due to business conflicts on the following:

Purchase Order 19-03996 in the amount of \$1,250.00 payable to Oceans Harbor House.

Purchase Order 20-02080 in the amount of \$33,884.04 payable to Silverton First Aid Squad, Inc.

Councilman Lotano abstained due to business conflicts on the following:

Purchase Order 19-04460 in the amount of \$2,000.00 payable to Preferred Behavioral Health.

Councilman Rodrick did not have any abstentions.

Council Ice President Geoghegan abstained due to business conflicts on the following:

Purchase Order 20-02080 in the amount of \$33,884.04 payable to Silverton First Aid Squad, Inc.

## **ELECTED OFFICIALS COMMENTS**

Mayor Hill spoke about the Budget and that “we are working towards doing more with less.” Comments on how well tornado relief went. Spoke of “Pop the Trunk” food donations going strong and will continue to serve the residents. COVID-19 updates.

Councilwoman Huryk explained Winding River Ice Skating Rink’s value in this time of crisis for the School Budget being cut so dramatically. Thanks to Mr. Davidson for coming in short time ago and doing so well. COVID curve finally flattening. Thank you to all first responders and OEM team.

Councilman Kopp spoke about the “Pop the Trunk” events going well handing out food donations to families suffering from COVID crisis. Thanked Council for bipartisan support of Efficiency study.

Councilman Rodrick a blamed leak of confidential info on Greg McGuckin, Esq. who he said had breakfast with a MUA employee days before 2/11/20 Council meeting. Mr. Rodrick asked Local Government Services to investigate if Council violating the Sunshine Law.

Councilman Turnbach complimented the Township for the wonderful relief efforts from the Tornado Toms River residents experienced highlighting the local business owners like the Capone family who donated 80 pizzas to the families and relief workers. Also thanked Council President and Mayor who have steered the food donation events. APP article on “pay to play” for students having to pay to play sports- Councilman Turnbach afraid this would unfairly exclude some students so instead suggested starting a 501(c)3 non-profit donation fund to support student activities.

Council Vice President Geoghegan asked for next meeting when Council votes on the 2020 Municipal Budget, can he vote on separate parts of the budget separately? Also commented on the nursing homes emergency services ordinance and urged everyone to stay safe and wash their hands.

Councilman Lotano commented on budget and also made mention of all of the organizations who offered their services and support during this hard time of COVID and the tornado that hit township.

Council President Maruca spoke about the budget and that the Finance Committee Meetings are held to take steps to save as much money as possible. Compliments to Fulfill and all of the food donation efforts, OEM, Police Department, local families who have supported the Township during this rough time such as the Capone Family, Four Seasons Diner, and we plan to honor them at a future Council Meeting when pandemic ends. DRJ Catering donated BBQ food for the “Pop the Trunk” events, the Soup Troop is another group who made home made soup for 50 seniors. Thank you to them all.

## **PUBLIC COMMENTS**

Council President Maruca announced the public portion and asked if any one wished to speak at this time that they could email in to [questions@tomsrivertownship.com](mailto:questions@tomsrivertownship.com):

Dennis Galante of 1149 Cherokee Court emailed asking of foreclosures and asked if we have refinanced existing bonds.

Arthur Anderson asked about Howard Mankoff’s fee asking if there a cap or a maximum he can charge Township.

Christine Golembeski of Kettle Creek Road asked about item G and why is person being forced to retire.

Debbie Martin of 1921 Ocean avenue, Unit 2, commented that she was still waiting for Tax insurance info for waterfront property.

Michelle Williams of 111 Tiller Drive asked if there was a reason why area of insurance not being investigated.

Toni Tammarazzo of Coolidge Avenue asked about reopening of the beaches, asked what is the plan. Toni also asked budget questions.

No further comments from the public appearing, a motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried to enter into a private Executive Session at 8:10 p.m.

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

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

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

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

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

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

Matters of Personnel  
Attorney Client Privilege  
Contract Negotiations

3. The following specific topics were announced.

- 1) Executive Session Minutes Review: None this time
- 2) Personnel Issues:
  - (a) Township Clerk's Office – Alison Carlisle
  - (b) Administration – Don Guardian
  - (c) Changes in Confidentials – Don Guardian
  - (d) Health Plan for Township Employees – Don Guardian and Alexander Davidson
- 3) Review of status of all real property acquisitions (voluntary acquisitions and eminent domain actions) – Don Guardian
- 4) Discuss PBA Grievance regarding payment of contractual benefits for accumulated sick leave to retired Detective Randy Petrick – Council President Maria Maruca
- 5) Possible acquisition of Surf Club property – Mayor Hill
- 6) Economic conditions due to COVID-19/cost savings – Don Guardian

4. It is anticipated that deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

The foregoing resolution was approved on the following roll call vote:

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

The Council **reconvened** the public portion at 8:52 P.M., a motion was made by Council Member Huryk, seconded by Council Member Rodrick and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council Present Maruca voting yes.

No Executive Session Minutes were to be approved this meeting. We are still figuring out how to disburse them safely if not all of Council in same room to hand them out (due to 6 ft apart distancing order).

No other business appearing, the meeting was **adjourned** at 8:53 P. M., on motion with 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.

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MARIA L. MARUCA, COUNCIL PRESIDENT

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ALISON CARLISLE, TOWNSHIP CLERK