

May 26, 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 at Municipal Complex, 33 Washington Street, Toms River, New Jersey at 6:00 PM, to satisfy the social distancing mandate.

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, and we would read them to be answered at the end of 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. Council President also reminded everyone we have adopted Roberts Rules of Order so in order to speak you must first ask permission of the Council President.

Roll Call:

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

APPROVAL OF MINUTES

A motion was made by Council Member Turnbach, seconded by Council Member Huryk. and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach and with Council President Maruca voting yes, to approve the **Regular Meeting of May 12,*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

Deputy Clerk Destiny Reynolds announced no questions from public.

Councilman Rodrick asked Township Planner Roberts a question.

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 Turnbach, and carried that an Ordinance entitled:

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING AMENDMENT #1 TO THE REDEVELOPMENT PLAN FOR THE HOOPER-CAUDINA REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-7

be taken up for further consideration, public hearing and final passage. Said ordinance was thereupon read by title only, pursuant to authority of Statutes of New Jersey, copy of said ordinance having been posted as directed by said law, whereupon Council President Maruca announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith. There was no response.

On motion by Council Member Huryk seconded by Council Member Turnbach and carried, the public hearing was closed.

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

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

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

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

Council Member Huryk	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes
Council Member Rodrick	No
Council Member Turnbach	Yes
Council Vice-President Geoghegan	Yes
Council President Maruca	Yes

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 383-5A, SUBSECTION 8 (b) (PRO SHOP FEES) OF CHAPTER 383 (PARKS, MUNICIPAL) OF THE TOWNSHIP CODE, TO AMEND THE COST OF FIGURE SKATE GUARDS AND TERRY COVERS

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, 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 May 26, 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 June 9, 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 Saturday, May 30, 2020.

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

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

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING
AND SUPPLEMENTING SECTION 348-10.4 OF CHAPTER 348
(LAND USE AND DEVELOPMENT REGULATIONS) OF THE TOWNSHIP CODE**

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on May 26, 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 June 9, 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 Saturday, May 30, 2020.

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

Council President Maruca asked Chief Financial Davidson if there were any comments regarding the following Resolution.

A motion was made by Council Member Huryk, seconded by Council Member Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick voting no, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP OF TOMS RIVER PROVIDING FOR AN ISSUE OF GENERAL IMPROVEMENT BONDS AUTHORIZING THE SALE OF \$31,110,000 PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS, SERIES 2020, AUTHORIZING ADVERTISEMENT OF A NOTICE OF SALE; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO SELL AND AWARD THE BONDS; DETERMINING THE FORM AND OTHER DETAILS OF THE BONDS; AND AUTHORIZING OTHER MATTERS RELATING THERETO.

WHEREAS, the Township of Toms River, in the County of Ocean, New Jersey (the "Township") has adopted the Bond Ordinances listed on the attached Appendix A (collectively, the "Bond Ordinances") authorizing the issuance of obligations of the Township for the purpose of financing the general improvements described in the Bond Ordinances; and

WHEREAS, the Township Council has determined to finance permanently a portion of the costs of the general improvement projects undertaken pursuant to the Bond Ordinances by the issuance of \$31,110,000 principal amount of general improvement bonds of the Township, unless adjusted pursuant to Section 9 hereof; and

WHEREAS, the Township Council has determined to proceed with the public sale of said bonds for the purposes authorized in the Bond Ordinances.

WHEREAS, the Township Council has previously adopted bond ordinances for the purpose of financing open space projects or purchases (collectively, the "Note Ordinances") which authorized the issuance of bond anticipation notes; and

WHEREAS, the Township intends to issue its bond anticipation notes in the principal amount of \$11,827,000 (the "Notes") under the Note Ordinances for the purpose of (i) refunding a portion of the Township's outstanding bond anticipation notes which were issued on June 19, 2019 and mature on June 18, 2020; (ii) funding certain capital improvements as described in the Note Ordinances; and (iii) paying a portion of the costs of issuing the Notes; and

WHEREAS, all matters pertaining to the sale of the Notes have been delegated by the Note Ordinances to the Chief Financial Officer of the Township.

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

Section 1. General Improvement Bonds, Series 2020, Authorization of Sale. The principal amount of general improvement bonds authorized to be issued pursuant to the Bond

Ordinances described in **Appendix A** hereto shall be issued as "General Improvement Bonds, Series 2020", in the aggregate principal amount of \$31,110,000 unless adjusted pursuant to

Section 9 hereof (the "Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the general improvements financed by the Bonds is 14.549 years.

Section 2. Public Sale of Bonds. The Bonds shall be issued and sold at a public sale upon electronic bids, in accordance with Section 8 hereof and the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented.

Section 3. Description of the Bonds. The Bonds shall be dated the date of delivery, shall be in book-entry only form, shall bear interest at the rate or rates specified by the successful bidder therefor in accordance with the Notice of Sale hereinafter provided for, said interest to be payable on June 15 and December 15, commencing on June 15, 2021 and shall mature on June 15 in the following years and amounts:

GENERAL IMPROVEMENT BONDS, SERIES 2020

<u>Year</u>	<u>Principal Amount</u>
2021	\$1,390,000
2022	1,900,000
2023	1,955,000
2024	2,015,000
2025	2,075,000
2026	2,140,000
2027	2,205,000
2028	2,270,000
2029	2,340,000
2030	2,415,000
2031	2,485,000
2032	2,560,000
2033	2,640,000
2034	2,720,000

The Bonds shall contain such other terms and conditions as are specified in the Notice of Sale, approved in Section 5 hereof (the "Notice of Sale"), and in the form of the Bonds, approved in Section 12 hereof.

Section 4. Redemption. (A) The Bonds of each series maturing prior to June 15, 2029 are not subject to redemption prior to their stated maturity. The Bonds of each series maturing on or after June 15, 2029 are subject to redemption, at the option of the Township, prior to their stated maturity and upon notice as hereinafter provided, at any time on or after June 15, 2028, in whole or part from such maturities as the Township shall determine and by lot within a single maturity, at the redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date.

(C) Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or any integral multiple thereof. If less than all of the Bonds of a particular series and maturity are to be redeemed, Bonds of that series and maturity shall be selected by the Chief Financial Officer (or, if appointed pursuant to Section 14 hereof, the Paying Agent) by lot.

When any Bonds are to be redeemed, the Chief Financial Officer (or, if appointed by Section 14 hereof, the Paying Agent) shall give notice of the redemption of the Bonds by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such Bonds at their respective addresses as they last appear on the registration books of the Township. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions

thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Township shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds of any series, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds of such series. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

Section 5. Approval of Notice of Sale. The Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as **Appendix B** and made a part hereof.

Section 6. Approval of Summary Notice of Sale. The Summary Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as **Appendix C** made a part hereof.

Section 7. Publication of Notice of Sale and Summary Notice of Sale. The Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Asbury Park Press, a newspaper circulating in the Township, and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Bond Buyer, and/or such other nationally recognized local government bond marketing publication or electronic information service carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The advertisement of said Notice of Sale and Summary Notice of Sale in each such medium shall be published not less than seven (7) days prior to the sale date for the Bonds. The Township Clerk, the Chief Financial Officer and such other appropriate officials are hereby authorized and directed to publish the Notice of Sale and Summary Notice of Sale as aforesaid.

Section 8. Designation of Chief Financial Officer to Award Bonds. Electronic proposals for the purchase of the Bonds shall be received by the Chief Financial Officer on such date as shall be determined by the Chief Financial Officer and set forth in the Notice of Sale and the Summary Notice of Sale, or such later date as may be established by the Chief Financial Officer in accordance with Section 9 hereof. Electronic proposals will be received via the "PARITY Electronic Bid System" (PARITY), a nationally recognized electronic securities bidding service approved by the Director of the Division of Local Government Services (the "Director") in the Department of Community Affairs, in an open auction in accordance with the terms and conditions set forth in the Notice of Sale authorized herein. Such proposals shall be received and announced in accordance with the Notice of Sale authorized herein. The Township Council hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notice of Sale. The Chief Financial Officer is hereby directed to report, in writing, to the Township at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

Section 9. Adjustment to Maturity Schedule. The Township may and expects to, after the receipt and opening of bids, adjust the maturity schedule of each series of the Bonds, provided however, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of bonds as specified herein and as adjusted will not exceed the amount authorized by the Ordinances. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount as calculated from the bid and the Initial Public Offering Prices required to be delivered to the Township as stated herein. The Township shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the day of the sale and award of the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

Section 10. Postponement of Sale. The Chief Financial Officer is hereby delegated the authority (if the Chief Financial Officer deems it to be in the best interests of the Township) (i) to postpone from time to time the sale of the Bonds from the date specified in the Notice of Sale (or, in the case of a rescheduled sale, from such rescheduled date), in each case upon not less than 24 hours' notice (to the extent practicable), and (ii) to reschedule such sale upon not less than 48 hours' notice. Notice of any such postponement and rescheduling shall be given in the manner specified in the Notice of Sale. In the event of any such postponement and rescheduling, the Chief Financial Officer may (and shall, if required by the Local Bond Law) cause a revised Notice of Sale and a revised Summary Notice of Sale to be prepared and published.

Section 11. Authorization for Official Statement. The distribution by the Township, and its Municipal Advisor, of the Preliminary Official Statement relating to the Bonds and the Notes (a draft of which is attached hereto as **Exhibit A** and shall be filed with the records of the Township) is hereby approved in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer executing the same may approve, such approval to be evidenced by such Township officer's execution thereof. The Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement "final" within the meaning of Rule 15c2-12 of the Rules of the Securities and Exchange Commission and to execute and deliver a certificate to that effect. The Chief Financial Officer is hereby authorized to approve the contents and terms of the final Official Statement in respect of the Bonds and the Notes in substantially the form of the Preliminary Official Statement. The Chief Financial Officer is hereby authorized to sign such Official Statement on behalf of the Township, in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer executing the same may approve, such approval to be evidenced by such Township officer's execution thereof.

Section 12. Approval of Form of Bonds. The form of the Bonds, substantially as set forth in **Appendix D** attached hereto and made a part hereof, is hereby approved. The Bonds shall be executed in the name of the Township by the manual or facsimile signature of the Mayor and the Chief Financial Officer and the seal of the Township, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual signature of the Township Clerk.

Section 13. Appointment of Securities Depository. The Depository Trust Company, New York, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of each series of Bonds, each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The appropriate officers of the Township are hereby authorized to execute a Letter of Representation to DTC and such other documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds of any series at any time by giving notice to the Township and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Township shall designate a successor securities depository or deliver certificates to the beneficial owners of the Bonds.

Section 14. Appointment of Paying Agent and Bond Registrar. The Chief Financial Officer is hereby delegated the authority to appoint any bank, trust company or national

banking association having the power to accept and administer trusts to serve as Paying Agent and Bond Registrar for the Bonds. The Paying Agent and Bond Registrar shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the Township prior to the delivery of the Bonds.

Section 15. Tax Covenant. The Township hereby covenants with the holders from time to time of the Bonds and Notes that it will make no investment or other use of the proceeds of such Bonds or Notes or take any further action (or refrain from taking such action) which would cause such Bonds or Notes to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on such Bonds or Notes not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of such Bonds or Notes.

Section 16. Pledge of Township. The full faith and credit of the Township is hereby pledged for the payment of the principal, redemption premium, if any, and interest on the Bonds and Notes. The Bonds and Notes shall be direct obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the principal of and interest on the Bonds and Notes without limitation as to rate or amount.

Section 17. Continuing Disclosure. The form of the Continuing Disclosure Certificate for the Bonds (the "Bonds CDC") in substantially the form attached hereto as **Appendix E-1**, and the form of the Continuing Disclosure Certificate for the Notes (the "Notes CDC", and together with the Bonds CDC, the "Continuing Disclosure Certificates"), in substantially the form attached hereto as **Appendix E-2**, are each hereby approved, and the execution of the Continuing Disclosure Certificates by the Chief Financial Officer of the Township is hereby authorized. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificates executed by the Township and dated the date of issuance and delivery of the Bonds and the Notes, respectively, as originally executed and as they may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the Township to comply with the Continuing Disclosure Certificates shall not be considered a default on the Bonds and/or the Notes; however, any Bondholder or Noteholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

Section 18. Further Action. The proper officers of the Township are hereby authorized and directed to take all such action as may be necessary to affect the issuance and delivery of the Bonds.

Section 19. Effective Date. This Resolution shall take effect immediately.

Adopted: May 26, 2020

CERTIFICATE

I, ALISON CARLISLE, Township Clerk of the Township of Toms River, in the County of Ocean, New Jersey, HEREBY CERTIFY that the foregoing copy of the resolution of the Township Council, duly adopted on May 26, 2020, has been compared by me with the original resolution as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this 26th day of May, 2020.

ALISON CARLISLE, Township Clerk

[SEAL]

CONSENT AGENDA

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

A motion was made by Council Member Rodrick, 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 **B, C, G, K, N, and O**, which were done separately.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR RESIDENTIAL WELL TESTING SERVICES, TO PRECISION ANALYTICAL SERVICES, INC. AND GARDEN STATE LABORATORIES, INC., WHO MEET ALL THE BID SPECIFICATIONS

(THIS CONTRACT WAS BID ON BEHALF OF THE RESIDENTS OF TOMS RIVER AND ANY COSTS WILL BE BORNE BY THE RESIDENTS WHO CHOOSE TO USE IT)

MAY 26, 2020

WHEREAS, bids were invited on May 13, 2020 for Residential Well Testing Services; and

WHEREAS, bids were received, as follows:

Garden State Laboratories, Inc.
410 Hillside Avenue
Hillside, NJ 07205

- 1. Unit Cost for Water Quality Analysis for Individual Residential Wells as per Attached Ocean County Board of Health Well and Individual Sewage Disposal Systems

Unit Cost: \$695.00

- 2. Test of Compounds Trichloroethylene (TCE) and perchloroethene (PCE)

Unit Cost: \$85.00

Precision Analytical Services, Inc.
2161 Whitesville Road
Toms River, NJ 08755

- 1. Unit Cost for Water Quality Analysis for Individual Residential Wells as per Attached Ocean County Board of Health Well and Individual Sewage Disposal Systems

Unit Cost: \$650.00

- 2. Test of Compounds Trichloroethylene (TCE) and perchloroethene (PCE)

Unit Cost: \$100.00

J.R. Henderson Labs, Inc.
123 Seaman Avenue

Beachwood, NJ 08722

1. Unit Cost for Water Quality Analysis for Individual Residential Wells as per Attached Ocean County Board of Health Well and Individual Sewage Disposal Systems

Unit Cost: \$750.00

2. Test of Compounds Trichloroethylene (TCE) and perchloroethene (PCE)

Unit Cost: \$160.00

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

Precision Analytical Services, Inc. – Item No. 1 at \$650.00 per unit.
Garden State Laboratories, Inc. – Item No. 2 at \$85.00 per unit.

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 Residential Well Testing Services, as follows:

Precision Analytical Services, Inc. – Item No. 1 at \$650.00 per unit.
Garden State Laboratories, Inc. – Item No. 2 at \$85.00 per unit.

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

3. Term of contracts shall be effective for two (2) consecutive years, commencing May 26, 2020 through May 25, 2022, with the option to renew for two (2) additional one-year terms or one (1) additional two-year term at the unit prices bid upon agreement by both parties.

4. This contract was bid on behalf of the residents of Toms River, and requires no certification of funds, since the costs will be borne by the residents who choose to use it

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) Business Administrator
- c) Chief Financial Officer
- d) Township Attorney
- e) Engineering Division
- f) All aforementioned bidders

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF OPEN-ENDED CONTRACTS TO GALLS LLC, ACTION UNIFORM CO., LLC, KEYPORT ARMY NAVY AND AMERICAN UNIFORM & SUPPLY, WHO MEET ALL OF THE BID SPECIFICATIONS, FOR THE SUPPLY OF UNIFORMS AND SPECIALTY ITEMS FOR SCHOOL CROSSING GUARDS, BICYCLE POLICE, AUXILIARY POLICE, DISPATCHERS, BOOKING OFFICERS, MOTORCYCLE POLICE, COMMUNITY SERVICE OFFICERS, AND ANIMAL CONTROL OFFICERS

MAY 26, 2020

WHEREAS, the Division of Purchasing of the Township of Toms River has requested authorization to award open-ended contracts for the Supply of Uniforms and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers and Animal Control Officers; and

WHEREAS, bids were invited on March 31, 2020, for the Supply of Uniform and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers, and Animal Control Officers; and

WHEREAS, bids were received from the following vendors:

Galls LLC
1340 Russell Cave Road
Lexington, KY 40505

Action Uniform Co., LLC
3164 Fire Rd.
Egg Harbor Twp., NJ 08234

Keyport Army Navy
PO Box 985
Brick, NJ 08723

American Uniform & Supply
6831 Rt. 9 South
Howell, NJ 07731

WHEREAS, the bids have been reviewed by the Purchasing Division, and they have recommended that the award of contracts be made to the following who meet all of the bid specifications:

Galls, LLC - Item Numbers: 1-5, 7, 9-20, 24-28, 34-43, 48-53, 56-63, 74, 76, 77, 79-80, 82-87, 92-95, 97, 99-101, 103-104, 106-109, 114, 116-120, 123-128, 130, 133-135, 137-141, 143-154, 157-158, 161-167, 170-187, and 191-196.

Action Uniform Co., LLC - Item Numbers: 6, 22, 32, 68, 73, 81, 88-89, 98, 102, 112-113, 129, 136, 155-156, 159-160, and 168-169.

Keyport Army Navy - Item Numbers: 21, 96, 105, 110-111 and 115.

American Uniform & Supply - Item Numbers: 8, 29-30, 54-55, and 131-132.

Item number 22 was a tied bid and awarded by coin toss.

Item numbers 23, 31, 33, 44-47, 64-67, 69-72, 75, 78, 90-91, 121-122 and 142, and 188-190 (Police Academy) are being rejected and will be rebid to revise the specifications and to award to a local vendor – They must be awarded to a local vendor, as the Township often hires officers who will begin an academy within a couple of weeks and recruits need to be fitted and uniforms tailored.

Item numbers 146 and 160 are awarded to the 2nd low bidder due to pricing errors on the low bidder.

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 Uniforms and Specialty Items for School Crossing Guards, Bicycle Police, Auxiliary Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers, and Animal Control Officers, to the following who meet all of the bid specifications, as follows:

Galls, LLC - Item Numbers: 1-5, 7, 9-20, 24-28, 34-43, 48-53, 56-63, 74, 76, 77, 79-80, 82-87, 92-95, 97, 99-101, 103-104, 106-109, 114, 116-120, 123-128, 130, 133-135, 137-141, 143-154, 157-158, 161-167, 170-187, and 191-196.

Action Uniform Co., LLC - Item Numbers: 6, 22, 32, 68, 73, 81, 88-89, 98, 102, 112-113, 129, 136, 155-156, 159-160, and 168-169.

Keyport Army Navy - Item Numbers: 21, 96, 105, 110-111 and 115.

American Uniform & Supply - Item Numbers: 8, 29-30, 54-55, and 131-132.

Item number 22 was a tied bid and awarded by coin toss.

Item numbers 23, 31, 33, 44-47, 64-67, 69-72, 75, 78, 90-91, 121-122 and 142, and 188-190 (Police Academy) are being rejected and will be rebid to revise the specifications and to award to a local vendor – They must be awarded to a local vendor, as the Township often hires officers who will begin an academy within a couple of weeks and recruits need to be fitted and uniforms tailored.

Item numbers 146 and 160 are awarded to the 2nd low bidder due to pricing errors on the low bidder.

2. The Term of Contract shall be effective retroactive to April 23, 2020 through April 22, 2021. These will be an 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. The award of this contract is subject to all terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Office of Emergency Management
- f) Animal Shelter
- g) Information Technology
- h) Aforementioned bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contracts awarded to Galls, LLC, Action Uniform Co., LLC, Keyport Army Navy and American Uniform & Supply, for the supply of uniforms and specialty items for school crossing guards, bicycle police, auxiliary police, dispatchers, booking officers, motorcycle police, community service officers and animal control officers, are contingent upon the availability of funds in the appropriate municipal budget year.

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: May 26, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE DIVISION OF ENGINEERING AND THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE BIDS FOR THE TOWNHALL FAÇADE REPAIR PROJECT

MAY 26, 2020

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

TOWNHALL FAÇADE REPAIR 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. The Engineering Division and the Purchasing Division are hereby authorized to prepare bid specifications for the above-mentioned items/project.

2. The Engineering Division and the Purchasing Division are 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) Engineering Division
- c) Chief Financial Officer
- d) Township Attorney
- e) Parks, Buildings & Grounds

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ENGINEERING DIVISION AND PURCHASING DIVISION TO ADVERTISE FOR AND RECEIVE BIDS FOR THE YOUTH CENTER PLAYGROUND IMPROVEMENTS PROJECT

MAY 26, 2020

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

YOUTH CENTER PLAYGROUND IMPROVEMENTS 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. The Engineering Division and Purchasing Division are hereby authorized to prepare bid specifications for the above-mentioned items/project.

2. The Engineering Division and Purchasing Division of the Township of Toms River are hereby authorized to advertise for the receipt of bids for the above-mentioned items/project.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Engineering Division
- e) Human Services
- f) Youth Center

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIPS OF TOMS RIVER AND BRICK, TO SECURE STATE FUNDING FOR, AND UNDERTAKING STREET ELEVATIONS, IN FLOOD-PRONE SECTIONS OF NORMANDY BEACH IN BOTH MUNICIPALITIES – NJDOT STATE AID PROJECT – FISCAL YEAR 2021

MAY 26, 2020

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

1. The Mayor is authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Townships of Toms River and Brick, for the purposes of securing state funding for, and undertaking street elevations, in flood-prone sections of Normandy Beach in both municipalities – NJDOT State Aid Project – Fiscal Year 2021.

2. A copy of the Shared Services Agreement is attached to this resolution as Schedule “A”, and made a part hereof.

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) Engineering Division
- f) Chief Financial Officer
- g) Purchasing Division
- h) Mayor John G. Ducey
Township of Brick
401 Chambers Bridge Road
Brick, NJ 08723
- i) Lynette Iannarone
Township of Brick
401 Chambers Bridge Road
Brick, NJ 08723

Schedule “A”

See Attachments

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CLOSEOUT OF THE 2019 TOWNSHIP WIDE PAVING PROGRAM (FY2017), RELEASING PERFORMANCE BOND, ACCEPTANCE OF MAINTENANCE BOND, AND AUTHORIZING FINAL PAYMENT AND RELEASING RETAINAGE TO CONTRACTOR, P & A CONSTRUCTION, INC., IN THE TOTAL MAXIMUM AMOUNT OF \$74,458.95

MAY 26, 2020

WHEREAS, resolution of the Township Council dated May 14, 2019, awarded a contract to P & A Construction, Inc., as the lowest bidder meeting all the bid specifications, for the 2019 Township Wide Paving Program (FY2017), in the total contract price not to exceed \$4,344,180.00; and

WHEREAS, the contractor retained for the 2019 Township Wide Paving Program (FY2017), 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) Original Maintenance Bond No. 2986690 with P & A Construction, Inc., as Principal and Great American Insurance Company, as Surety.
- b) Contractor's Application for Payment in the amount of \$74,458.95.

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 2019 Township Wide Paving Program (FY2017), releasing Performance Bond, accepting Maintenance Bond, and authorizing final payment and retainage to P & A Construction, Inc., in the amount of \$74,458.95. Funds in the amount of \$74,458.95, are available in Account No. X-04- -239-001. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Chief Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) P & A Construction, Inc.
PO Box 28
Colonia, NJ 07067

CERTIFICATION

THIS IS TO CERTIFY that the funds for the payment to P & A Construction, Inc., in the amount of \$74,458.95, are available in Account No. X-04- -239-001.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 26, 2020

RESOLUTION AUTHORIZING A GENERAL SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE TOMS RIVER REGIONAL SCHOOLS BOARD OF EDUCATION FOR VARIOUS SERVICES PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT, N.J.S.A. 40A:65-1 to -35

MAY 26, 2020

WHEREAS, the Township of Toms River and the Toms River Regional Schools Board of Education are both public bodies which serve many of the same taxpayers; and

WHEREAS, each entity may possess specialized equipment, resources, and expertise of useful to the other; and

WHEREAS, it is deemed in the public interest for both entities to share such equipment, resources, and expertise;

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

1. The Mayor is hereby authorized to execute and Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Toms River Regional Schools Board of Education, wherein the parties hereto shall provide for a sharing of resources and services

2. If during the course of sharing these resources of labor and equipment, labor overtime costs, or out-of-pocket expenses are incurred, it is agreed that these costs will be reimbursable to the providing Agency by the Agency receiving the services.

3. The Business Administrator of the Township of Toms River and the Superintendent of the Toms River Regional Schools Board of Education or their designee(s) shall have the authority to approve or disapprove any request for sharing of equipment, resources, or services.

4. The term of this Agreement shall be commence retroactive to January 1, 2020, and pursuant to N.J.S.A. 40A:65-7a(4), shall continue in effect for 10 years thereafter, unless properly terminated beforehand by the parties as provided in the agreement. Additionally, the agreement may be extended beyond the 10-year term upon written consent of both parties.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Engineering Division
- h) Parks, Buildings & Grounds
- i) Recreation Dept.
- j) Stephan R. Leone, Esq.
Carluccio, Leone, Dimon, Doyle & Sacks, LLC
9 Robbins Street
Toms River, NJ 08753
- k) Toms River Regional Schools Board of Education
1144 Hooper Avenue
Toms River, N.J. 08753

RESOLUTION

May 26, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES), WERE 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>NOBILITY CREST DOVER LLC</i>	<i>166</i>	<i>3.01</i>	<i>B04</i>	
			<i>2019/4</i>	<i>\$373.69</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

May 26, 2020

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

- 2. 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>CORELOGIC TAX SERVICES, LLC</i>	<i>1108.24</i>	<i>277</i>	<i>2020/1</i>	<i>\$1,186.44</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 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 443.35 LOT 10 EFFECTIVE January 1st, 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

MAY 26, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 443.35 LOT 10, located at 79 OAK GLEN ROAD, has been certified by the Tax Assessor as a 100% Disabled Veteran, effective January 1st, 2020 and

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

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

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

1. All 2020 real property taxes for Block 443.35 Lot 10, due on or after January 1st, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 443.35 lot 10, if any, shall be refunded on a pro-rated basis from January 1st, 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B, HILL Jr.
 - b) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Alexander Davidson, Chief Financial Officer
 - e) William Laird, Township Assessor
 - f) Carl Dileo, Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 510.11 LOT 8 EFFECTIVE FEBRUARY 10TH, 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

MAY 26, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 510.11 LOT 8, located at 80 Shady Nook Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 10th, 2020 and

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

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

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

1. All 2020 real property taxes for Block 510.11 Lot 8, due on or after February 10th, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 510.11 lot 8, if any, shall be refunded on a pro-rated basis from February 10th, 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B, HILL Jr.
 - b) Donald Guardian, Business Administrator
 - c) Kenneth B. Fitzsimmons, Township Attorney
 - d) Alexander Davidson, Chief Financial Officer
 - e) William Laird, Township Assessor
 - f) Carl Dileo, Township Tax Collector

Council Member Rodrick expressed disagreement with the following Resolution.

Council Member Lotano asked if they could do a shared services.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick voting no, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR THE PROVIDING AND INSTALLATION OF ONE (1) OUTDOOR FITNESS COURT AT VETERAN’S PARK REBID TO PICERNO – GIORDANO CONSTRUCTION, LLC, WHO MEETS ALL THE BID SPECIFICATIONS, FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$156,000.00

MAY 26, 2020

WHEREAS, bids were received on April 28, 2020 for the Providing and Installation of One (1) Outdoor Fitness Court at Veteran’s Park; and

WHEREAS, bids were received, as follows:

Picerno – Giordano Construction, LLC 200 Market Street Kenilworth, NJ 07033	\$129,000.00
Z Tech Contracting LLC 1207 US Highway 22 Mountainside, NJ 07092	\$150,328.25
T. Fiotakis Construction LLC 197 Central Avenue	

Edison, NJ 08817 \$151,000.00

Whirl Corporation
PO Box 110 – 194 Main Street
Port Monmouth, NJ 07758 \$172,034.00

Viviano Construction LLC
46 Ridgeview Way
Allentown, NJ 08501 \$ 17,500.00

Down to Earth Landscaping
705 Wright – Debow Road
Jackson, NJ 08527 \$152,000.00

Viviano Construction LLC is non-responsive due to an error in pricing.

Down to Earth Landscaping was rejected because they did not acknowledge

Addendum I, and did not use the correct proposal page.

WHEREAS, the bids have been reviewed by the Purchasing Division and the Engineering Division, and recommendation has been made to award the contract to Picerno – Giordano Construction, LLC, for bid item nos. 1 & 2, and the bid alternate 1, for a total contract price not to exceed \$156,000.00, as follows:

<u>NO</u>	<u>ITEM DESCRIPTION</u>	<u>UNIT</u>	<u>QTY.</u>	<u>COST</u>
1	Provide and install one (1) Fitness Court by National Fitness Campaign (basis for design), as shown in Supplemental specifications	LS	1	\$127,000.00
2.	General construction allowance	BUG	1	\$ 2,000.00
<u>TOTAL BID ITEMS 1 & 2</u>				<u>\$129,000.00</u>
Alternate				
1	Provide all labor materials and disposal to construct one 38"X38"X6" thick concrete slab (4,000 psi air entrained) with 6X6 wire fabric) with 6" of clean stone bedding atop suitable subgrade as approved by the Township Engineer. Restoration - included but not limited to fine grading, seed, & hay stabilization. 1% cross slope	LS	1	\$ 25,000.00
Alternate				
Allowance	General construction allowance	BUG	1	\$ 2,000.00
<u>TOTAL BID ALTERNATES</u>				<u>\$ 27,000.00</u>
TOTAL CONTRACT PRICE:				\$156,000.00

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

1. It hereby awards the contract for the Providing and Installation of One (1) Outdoor Fitness Court at Veteran’s Park rebid, to Picerno – Giordano Construction, LLC, who meets all the bid specifications, for a total maximum contract amount not to exceed \$156,000.00, as stated above. Funds in the amount of \$156,000.00, are available in Account No. X-04- -248-007 - \$100,000.00, Account No. X-19- 600-137 -

\$18,214.58, and Account No. X-04- -236-001 - \$37,785.42. The award of this contract is subject to all terms and conditions of the bid specifications.

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

2. Viviano Construction LLC is non-responsive due to an error in pricing. Down to Earth Landscaping was rejected because they did not acknowledge Addendum I, and did not use the correct proposal page.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Township Attorney
 - d) Engineering Division
 - e) Parks, Buildings & Grounds
 - f) Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Picerno – Giordano Construction, LLC, in the total contract amount not to exceed \$156,000.00, are available as follows:

Account No. X-04- -248-007- \$100,000.00
Account No. X-19- -600-137- \$ 18,214.58
Account No. X-04- -236-001- \$ 37,785.42

More specifically, the actual encumbrance of the funds will be based upon the approval of a 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: May 26, 2020

Council Member Huryk thanked Township Chief Financial Davidson for explanation on the following Resolution.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick voting no, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO CAPELA CONSTRUCTION INC., AS THE LOWEST RESPONSIBLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, FOR A POLICE SHOOTING RANGE AT PUBLIC WORKS, IN THE TOTAL CONTRACT PRICE NOT TO EXCEED \$190,200.00

MAY 26, 2020

WHEREAS, bids were invited on March 25, 2020 for a Police Shooting Range at Public Works; and

WHEREAS, bids were received, as follows:

<u>VENDOR BID</u>	<u>TOTAL BID</u>	<u>VENDOR</u>	<u>TOTAL</u>
Capela Construction Inc. 30 N. Central Ave. Sicklerville, NJ 08081	\$190,200.00	Commercial Construction Mgmt 25 Saint George Place Keyport, NJ 07735	\$259,670.00
JNP Construction LLC 1007 West Commodore Blvd. Jackson, NJ 08527	\$235,500.00	Premier Group Inc. 306A Capitol Street Saddle Brook, NJ 07663	\$457,500.00
George Koustas Ptg & Constr LLC 70 Beechwood Ave West Long Branch, NJ 07764	\$318,000.00		

WHEREAS, the bids were reviewed by the Purchasing Division and Engineering Department, and they have recommended that the award of contract be made to Capela Construction Inc., as the lowest responsible bidder meeting all of the bid specifications, at a total contract price not to exceed \$190,200.00; and

WHEREAS, the bids from Commercial Construction Mgmt. and Premier Group are rejected for incomplete paperwork;

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 a Police Shooting Range at Public Works to Capela Construction Inc., as the lowest responsible bidder meeting all the bid specifications, for a total contract price not to exceed \$190,200.00. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. The bids from Commercial Construction Mgmt. and Premier Group are rejected for incomplete paperwork.

3. Funds in the amount of \$190,200.00, are available in Account No. Account No. X-04- -207-001.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Engineering
- e) Police Department
- f) Department of Public Works
- g) All Aforementioned bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Capela Construction Inc. in the contract amount not to exceed \$190,200.00, are available in Account No. X-04- -207-001.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 26, 2020

Council President Maruca explained the following Resolution is amending special event application in effort to help local organizations with allowing outside dining without permitting fees.

A motion was made by Council Member Turnbach, seconded by Council Member Huryk and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick voting no, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING A TEMPORARY POLICY GOVERNING OUTDOOR DINING DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

MAY 26, 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 adopts, "Township of Toms River Temporary Policy for Outdoor Dining During the COVID-19 Public Health Emergency."
2. This policy shall take effect when permitted by Executive Order of the Governor.
3. A copy of the Policy is attached hereto as "Schedule A", and made a part hereof.
4. A certified copy of this resolution shall be provided by the Office of Township Clerk to the following parties:
 - a) Mayor Thomas Maurice B. Hill, Jr.
 - b) Township Council
 - c) Business Administrator
 - d) Chief Financial Officer
 - e) Township Attorney
 - f) Township Engineer
 - g) Building Department
 - h) Code Enforcement
 - i) Board of Adjustment
 - j) Township Planner

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE TOMS RIVER BOARD OF FIRE COMMISSIONERS DISTRICT NO. 2 TO PROCURE, AS NECESSARY, THE SERVICES OF WITT O'BRIEN LLC, PURSUANT TO THE TOWNSHIP'S "OPEN-ENDED CONTRACT WITH WITT O'BRIEN LLC, AS TECHNICAL ASSISTANCE CONTRACTOR FOR PUBLIC ASSISTANCE WITH FEMA PROGRAM SERVICES", FOR ASSISTANCE IN SEEKING FEMA REIMBURSEMENT OF ALLOWABLE COSTS ASSOCIATED WITH THE COVID-19 PANDEMIC

MAY 26, 2020

BE IT RESOLVED by the Township Council of the Township of Toms River, in

the County of Ocean, and State of New Jersey, as follows:

1. The Mayor is authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Toms River Board of Fire Commissioners District No. 2, to procure, as necessary, the services of Witt O'Brien LLC, pursuant to the Township's "open-ended contract with Witt O'Brien LLC, as technical assistance contractor for public assistance with FEMA program services", approved by resolution of the Township Council dated May 14, 2019, for assistance in seeking FEMA reimbursement of allowable costs associated with the COVID-19 Pandemic.

2. This agreement shall take effect retroactive to March 1, 2020, and its term shall coincide with the Township's "Open Ended Contract to Witt O'Brien LLC, as Technical Assistance Contractor for Public Assistance with FEMA Program Services". A copy of this agreement is attached to this resolution as Schedule "A", and made hereof, and a copy will be kept on file in the Office of the Township Clerk upon execution.

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

- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Toms River Board of Fire Commissioners
District No. 2
257 Warner Street
Toms River, NJ 08755

SCHEDULE "A"

See attachments

Arthur Anderson emailed in and Township Planner Roberts explained the following Resolution.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, CONTINUING THE DESIGNATION OF A
CONDITIONAL REDEVELOPER FOR THE PROPERTY IDENTIFIED ON THE TAX
MAPS OF THE TOWNSHIP AS BLOCK 658, LOT 25 AND BLOCK 569, LOTS 3, 4, 10
AND 11.01 AND AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE
INTERIM COSTS AGREEMENT RELATED THERETO

MAY 26, 2020

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Township Council (the "Council") of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), by resolution duly adopted pursuant to the Redevelopment Law, authorized and directed the Planning Board of the Township (the "Planning Board") to undertake a preliminary investigation to determine if a specific area located in the Township, identified on the Tax Maps of the Township as Block 566.01; Block 566.02; Block 566.03; Block 567; Block 569, Block 570; Block 566.04, a portion of Lot 1; and

Block 658, Lots 25, 47, 48 and 58 (the “Study Area”), constituted an area in need of redevelopment according to the criteria set forth in the Redevelopment Law; and

WHEREAS, on November 5, 2008 the Planning Board, after providing due notice, conducted a public hearing in accordance with the Redevelopment Law; and

WHEREAS, on December 3, 2008, the Planning Board adopted Resolution #2008-94 recommending that Council designate the Study Area as an area in need of redevelopment; and

WHEREAS, on January 27, 2009, after reviewing the recommendations of the Planning Board, the Council adopted a resolution designating the Study Area an area in need of redevelopment under the Redevelopment Law (the “Original Redevelopment Area”); and

WHEREAS, in 2012, the Council adopted a resolution designating Block 658.01, as shown on the Tax Maps of the Township, as an area in need of redevelopment in accordance with the Redevelopment Law and adding said parcel to the Original Redevelopment Area (the “Redevelopment Area”); and

WHEREAS, pursuant to the Redevelopment Law, the Township caused a redevelopment plan for a portion of the Redevelopment Area identified on the Tax Maps of the Township as Block 566.01; Block 566.02, Lots 3, 7, 8, 9 and a portion of 5; Block 566.03; Block 567; Block 569, Lots 4, 5, 6, 7, 8, 9, 10 and 11; Block 658, Lots 25, 47, 48 and 58 and Block 658.01 (the “Phase 1 Redevelopment Area”) to be prepared, entitled the “Redevelopment Plan for Phase 1 Downtown Waterfront Redevelopment Area” (the “Redevelopment Plan”) dated November 16, 2017; and

WHEREAS, on December 26, 2017, the Council adopted an Ordinance approving the Redevelopment Plan; and

WHEREAS, the Township issued a request for redevelopment proposals (the “RFP”) seeking a redeveloper for a portion of the Phase 1 Redevelopment Area identified on the Tax Maps of the Township as Block 658, Lot 25 (“Lot 1”) and Block 569, Lots 3, 4, 10 and 11.01 (“Lot 2” and together with Lot 1, the “Project Area”); and

WHEREAS, on May 3, 2019, the Township received a response to the RFP (the “Proposal”) from Capodagli Property Company, LLC, (“Capodagli”); and

WHEREAS, the Township reviewed the Proposal based on the designated criteria in the RFP, including but not limited to, (i) compliance with the terms of the RFP, (ii) operating experience in the field, including experience as a redeveloper of residential, retail, office and mixed-use in downtown districts, (iii) appropriateness of design, pedestrian circulation and parking solutions, (iv) creativity in approach to mix of uses, (v) soundness of financial plan and commitments, and (vi) capability of redeveloper to execute the project; and

WHEREAS, based upon the Township’s evaluation of the Proposal, on June 25, 2019, the Council adopted a resolution (i) designating Capodagli, or an affiliated entity, as the conditional redeveloper of the Project Area for a period of one hundred eighty (180) days pending the negotiation and execution of, among other agreements, a redevelopment agreement (the “Redevelopment Agreement”) with the Township; and (ii) authorizing the execution of an interim costs agreement with Capodagli (the “Original Interim Costs Agreement”) to reimburse the Township for any and all costs incurred by the Township prior to the execution of a Redevelopment Agreement, including the Township’s reasonably incurred out-of-pocket fees, costs and expenses related to the designation of the Conditional Redeveloper, the drafting of amendments to the Redevelopment Plan, negotiation of the terms and conditions of a redevelopment agreement, financial or tax agreement, if applicable, and other documents related to the redevelopment of the Project Area including, but not limited to, fees for legal, real estate appraisal, accounting, engineering, planning and financial advisory services, including all such fees, costs and expenses incurred commencing as of June 18, 2019 (the “Interim Costs”); and

WHEREAS, the Township and Capodagli executed the Original Interim Costs Agreement in furtherance of the aforesaid resolution; and

WHEREAS, on December 23, 2019, the Council adopted a resolution (i) continuing the designation of Capodagli as conditional redeveloper of the Project Area for a period of one

hundred eighty (180) days, subject to the successful negotiation of a redevelopment agreement and (ii) authorizing the execution of an amendment to the Original Interim Costs Agreement (the “First Amendment” and together with the Original Interim Costs Agreement, the “First Amended Interim Costs Agreement”) to define the term of the agreement; and

WHEREAS, the Parties executed an amendment to the First Amended Interim Costs Agreement (the “Second Amendment” and together with the First Amended Interim Costs Agreement, the “Second Amended Interim Costs Agreement”) to establish an additional escrow fund with the Township to provide for the payment of the Interim Costs related to, among other things, the designation of Capodagli as the conditional redeveloper of the Project Area and preliminary discussions relating to the negotiation of the Redevelopment Agreement for a portion of the Project Area identified on the Tax Maps of the Township as Block 658, Lot 25 and commonly known as the Upper Iron Street Lot; and

WHEREAS, the Township and Capodagli have agreed to (i) continue the designation of Capodagli, or an affiliated entity, as the conditional redeveloper of the Project Area (the “Conditional Redeveloper”) until December 18, 2020 to continue the negotiations of the Redevelopment Agreement, and (ii) to amend the Second Amended Interim Costs Agreement to extend the term of the agreement; and

WHEREAS, the Township desires to authorize the execution of an amendment to the Second Amended Interim Costs Agreement (in the form attached hereto as Exhibit A, the “Third Amendment” and together with the Second Amended Interim Costs Agreement, the “Interim Costs Agreement”).

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

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The designation of Capodagli as the Conditional Redeveloper of the Project Area pending the execution of the Redevelopment Agreement with the Township shall be continued until December 18, 2020 and is contingent upon Capodagli providing any additional project related information as may be requested by the Township.

Section 3. The within designation is further contingent upon (i) Capodagli agreeing to reimburse the Township for any and all Interim Costs in accordance with the Interim Costs Agreement and (ii) negotiating a formal Redevelopment Agreement between the Township and Capodagli.

Section 4. The Mayor of the Township is hereby authorized and directed to execute the Third Amendment, with such changes, omissions or amendments as the Mayor deems appropriate in consultation with the Township's redevelopment counsel and other professionals.

Section 5. This resolution shall take effect immediately.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Township Engineer
- g) Township Planner
- h) McManimon, Scotland & Baumann, LLC
75 Livingston Avenue, Second Floor
Roseland, New Jersey 07068
Attn: Joseph P. Baumann, Jr., Esq.

CERTIFICATE

I HEREBY CERTIFY the foregoing to be a true copy of a Resolution adopted on May 26, 2020 by the Township Council of the Township of Toms River, in the County of Ocean, New Jersey.

Alison Carlisle, Municipal Clerk
Township of Toms River, New Jersey

A motion was made by Council Member Turnbach, seconded by Council Member Lotano and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick Turnbach, and Council President Maruca voting yes, **that the following Resolution be table to June 9, 2020 Council Meeting.**

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE AND INSTALLATION OF SAFETY NETTING AT BEY LEA GOLF COURSE FROM TEX-NET, INC., WHO PROVIDED THE LOWEST QUOTE, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$20,339.55

REPORTS - NONE

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **May 22, 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:

Councilman Geoghegan abstained due to Business conflicts on the following:

Purchase Order 20-02567 payable to Silverton First Aid Squad Inc., in the amount of \$28,377.42.

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

Purchase Order 19-00863, 20-00893, 20-01453, and 20-02069, payable to Dasti, McGuckin, Attorneys at Law in the amount of \$11,151.00.

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 20-00162, payable to Borough of Lavallette in the amount of \$4,050.47.

Purchase Order 19-00248, 20-01451, 20-01716, 20-02067, and 20-02299, payable to Remington & Vernick Engineers in the amount of \$30,188.50.

Purchase Order 20-02550, payable to Recreation Salaries in the amount of \$7,466.80.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 20-01454 and 20-02068, payable to Owen Little & Associates in the amount of \$19,181.10.

Purchase Order 20-02567 payable to Silverton First Aid Squad Inc., in the amount of \$28,377.42.

Purchase Order 20-02499, payable to Berkeley Township in the amount of \$627.00.

Purchase Order 20-02478, payable to Lake Ridge Homeowners Associates in the amount of \$46,514.85.

Councilman Lotano abstained due to Business conflicts on the following:

Purchase Order 20-0195, payable to CME Associates in the amount of \$276.25.

Purchase Order 20-02069, payable Dasti, McGuckin, Attorneys at Law in the amount of \$81.00.

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 20-02443, payable to Citta, Holzapfel, Zabasky in the amount of \$2,000.00.

Purchase Order 19-00863, 20-00893, 20-01453, and 20-02069, payable to Dasti, McGuckin, Attorneys at Law in the amount of \$11,151.00.

Purchase Order 20-02550, payable to Magistrate Salaries in the amount of \$7,499.70.

ELECTED OFFICIALS COMMENTS

Mayor Hill spoke regarding New Jersey Department of Transportation grant now usable for street elevations; Fridays Food District Days, and Covid19 updates.

Council President Maruca reminded the public to email their comments.

Council Members Geoghegan and Kopp had no comments.

Council Member Rodrick stressed that spending is out of control.

Council Member Turnbach suggested to call Governor Murphy to amend Executive Order 107 to regulate local businesses; and Homeless call are coming in. He called County to provide year round transition counseling center; replacement for homeless to go when Code Blue closes.

Council Member Huryk spoke regarding wearing of masks, social distancing, online virtual events and asked all to play safe and be connected.

Council Member Lotano noted that Farmers Market is open every Wednesday. He thanked all the doctors, nurses and hospital staff for all of their help.

Council President Maruca spoke regarding DRJ Catering with Operation BBQ also every Friday donating meals to residents and first responders.

Council Member Rodrick asked Township Attorney Fitzsimmons to investigate Council Member Lotano vote in regards to Gregory McGuckin conflict.

PUBLIC COMMENTS

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

Arthur Anderson, 12 Park Street, spoke regarding Block 658 Lot 25.

Jimmy Rolan, 3437 Bergen Avenue, thanked for strong stand on opening small businesses.

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

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 7:22 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.

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK