

July 28, 2020

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

The meeting was called to order by Council President Maruca and opened with the salute to the Flag. A moment of silence was held.

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

OPEN PUBLIC MEETINGS ACT
STATEMENT

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

Roll Call:

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

APPROVAL OF MINUTES

A motion was made by Council Member Huryk, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, and Turnbach voting yes, and with Council President Maruca abstaining, to approve the Minutes of the **Regular Meeting of July 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 Turnbach, and carried that an Ordinance entitled:

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, RESTRUCTURING CERTAIN
POSITIONS IN THE DEPARTMENT OF FINANCE**

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 Kopp seconded the motion:

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

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

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

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

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING THE FOLLOWING POSITIONS AND SALARY RANGES OF SECTION 147-1 (SALARY RANGES) OF CHAPTER 147 (SALARIES AND COMPENSATION) OF THE TOWNSHIP CODE: SCHEDULE "C" – SUPERVISORY EMPLOYEES; SCHEDULE "G"- TRPA WHITE COLLAR EMPLOYEES; SCHEDULE "H"- CONFIDENTIAL EMPLOYEES.

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 Kopp and carried, the public hearing was closed.

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

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

2. 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.
3. 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 VARIOUS SECTIONS OF CHAPTER 348
(LAND USE AND DEVELOPMENT REGULATIONS) OF THE
TOWNSHIP CODE**

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

1. Section 348-8.28.1 (Stormwater Management), Subsection B (Definitions) to add supplement the definition of "Major Development" to read as follows:

MAJOR DEVELOPMENT

Any development that provides for ultimately disturbing one or more acres of land. "Disturbance" for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation and/or one quarter acre of new impervious coverage.

2. Section 348-10.22.1 (VOB Village Office-Business Zone) to amend Subsection B (Required accessory uses) to amend off-site parking provisions to read as follows:

§ 348-10.22.1 VOB Village Office-Business Zone.

B. Required accessory uses.

- (1) Off-street parking subject to the provisions of § 348-8.20, except that parking requirements shall be modified as follows:

(a) A new use that occupies an existing building or portion thereof shall not be required to provide parking, provided that the building is not being expanded to accommodate the new use, and provided that any existing parking previously dedicated to the building or portion thereof remains so dedicated following occupancy by the new use.

(b) A new use or building within 500 feet of a public parking facility operated by the Toms River Parking Authority or its successor agencies shall not be required to provide parking, provided that the Authority or its successor agency certifies that sufficient parking spaces are available within the parking facility to accommodate the requirements for the use.

(c) All or a portion of required parking may be satisfied through the sharing of off-street parking on a site that is within 1,000 feet subject to a legal instrument such as a lease or easement and provided that such parking is available during the hours of operation of the use for which it is being provided.

3. Section 348-10.29 (GB-MF General Business Multifamily Zone)) to amend Subsection B (Required accessory uses) to amend off-site parking provisions to read as follows:

§ 348-10.29 GB-MF General Business Multifamily Zone. ¹

B. Required accessory uses.

(1) Off-street parking subject to the provisions of § 348-8.20, except that all or a portion of required parking may be satisfied through the sharing of off-street parking on a site that is within 1,000 feet subject to a legal instrument such as a lease or easement and provided that such parking is available during the hours of operation of the use for which it is being provided.

4. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 348 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.
5. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.
6. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor and twenty days after publication as required by law.

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

TOMS RIVER TOWNSHIP NOTICE

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

PURPOSE: TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE TOWNSHIP CODE

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 July 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 August 25, 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

L-July 28, 2020-05 - NOTICE

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, July 31, 2020.

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

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, APPOINTING JAMES GLUCK, ESQ., AS MUNICIPAL JUDGE OF THE COURT OF THE TOWNSHIP OF TOMS RIVER, AND DESIGNATING HIM AS THE PRESIDING JUDGE OF THAT COURT

JULY 28, 2020

WHEREAS, the Mayor has nominated James Gluck, Esquire, as Municipal Court Judge to succeed retiring Municipal Court Judge James A. Liguori, and Council has considered same and consents; and

WHEREAS, N.J.S.A. 2B:12-4a provides this appointment is made for the unexpired term of his predecessor; and

WHEREAS, N.J.S.A. 2B:12-7b and Section 60-4 of the Township Code provide further that the judge of the Municipal Court shall be appointed by the Mayor with the advice and consent of the Township Council; and

WHEREAS, N.J.S.A. 2B-12-8 permits the designation of a chief judge when there are two or more judges of the Municipal Court, which court shall sit in parts; and

WHEREAS, N.J.S.A. 2B:12-5 permits two municipal court judges in municipalities such as the Township of Toms River; and

WHEREAS, Toms River Municipal Court has two judges;

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. James Gluck, Esquire, 217 Washington Street, Toms River, New Jersey 08753, is hereby confirmed as Municipal Court Judge of the Municipal Court of the Township of Toms River, New Jersey, at a salary as provided in the prevailing salary ordinance.

2. Pursuant to N.J.S.A. 2B:12-8, Mr. Gluck is designated Chief Judge of the Municipal Court.

3. Pursuant to N.J.S.A. 2B:12-4a, this appointment is made to fill the unexpired term of Mr. Gluck's predecessor, commencing on August 1, 2020 and expiring on April 7, 2023.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Acting Business Administrator
- d) Chief Financial Officer
- e) Municipal Court Administrator
- f) Human Resources
- g) Payroll Division
- h) Personnel Division
- i) Township Attorney
- j) Court Administrator
Justice Complex
120 Hooper Avenue
Toms River, NJ 08754
- k) James Gluck, Esq.
217 Washington Street
Toms River, NJ 08753

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNT, NEW JERSEY, CONSENTING TO THE
APPOINTMENT OF DONNA SEVER TO SERVE AS MUNICIPAL
COURT ADMINISTRATOR, COMMENCING AUGUST 1, 2020 AND
TERMINATING JULY 31, 2021**

JULY 28, 2020

WHEREAS, Mayor Maurice B. Hill, Jr. has nominated Donna Sever to serve as Municipal Court Administrator, and the Township Council has considered same and consents;

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 consents to the Mayor's appointment of Donna Sever to serve as Municipal Court Administrator, at a salary within range established by ordinance.

2. As directed by the Administrative Office of the Courts, Ms. Sever's appointment is for a one-year term, commencing on August 1, 2020, and terminating on July 31, 2021.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Acting Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) Human Resources
- g) Payroll Dept.
- h) Municipal Court
- i) Donna Sever, Municipal Court
- j) Administrative Office of the Courts
Hughes Justice Complex
25 W. Market Street
PO Box 037
Trenton, NJ 08625

L-July 28, 2020-23

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 Vice President Geoghegan, seconded by Council Member Huryk, 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 **K**, which was done separately.

RESOLUTION

JULY 28, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES FOR THE YEAR (S) INDICATED, DUE TO HOMEOWNER HAD AN AUTOMATIC WITHDRAWL ON THE PROPERTY, AND SOLD PROPERTY AND FAILED TO NOTIFY THE TAX COLLECTOR TO REMOVE THE AUTOMATIC WITHDRAWL;

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:*

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

Approved as to content:

RTC207282020.DOC

RESOLUTION

JULY 28, 2020

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

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>
CORELOGIC TAX SERVICES	233.09	68	2020/1	\$1,753.92

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

Approved as to content:

RTC307282020.DOC

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 688.03 LOT 11.13 EFFECTIVE JANUARY 1ST 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

JULY 28, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 688.03 LOT 11.13, located at 652 Loxley Drive has been certified by the Tax Assessor as a of 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 688.03 Lot 11.13, due on or after January 1st, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 688.03 lot 11.13, 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

RTC107282020.Doc

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR THE YOUTH CENTER PLAYGROUND IMPROVEMENTS PROJECT TO Z-TECH CONTRACTING, LLC, AS LOWEST RESPONSIBLE BIDDER MEETING ALL THE BID SPECIFICATIONS, FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$351,589.28

JULY 28, 2020

WHEREAS, bids were invited on July 15, 2020 for the Youth Center Playground Improvements; and

WHEREAS, bids were received, as follows:

<u>VENDOR</u>	<u>TOTAL PRICE</u>
Z-Tech Contracting, LLC 1207 US Highway 22 Mountainside, NJ 07092	\$351,589.28
Picerno – Giordano Construction, LLC 200 Market Street Kenilworth, NJ 07033	\$366,469.25
Whirl Construction, Inc. PO Box 110 – 194 Main Street Port Monmouth, NJ 07758	\$379,468.00
Daystar Landscape Construction Co., LLC 920 S. Beverwyck Road Parsippany, NJ 0054	\$453,468.00
Cypreco Industries 1420 9 th Avenue PO Box 822 Neptune, NJ 07753	\$467,940.00
Seacoast Construction Inc.	

15 Addington Ct.
East Brunswick, NJ 08816

\$499,349.00

WHEREAS, the bids have been reviewed by the Purchasing Division and the Engineering Division, and they have recommended that the award of contract be made to Z-Tech Contracting, LLC, as lowest responsible bidder meeting all the bid specifications, for a total contract price not to exceed \$351,589.28;

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 to Z-Tech Contracting, LLC, as lowest responsible bidder meeting all the bid specifications, for the Youth Center

Playground Improvements project, for a total contract price not to exceed \$351,589.28 and funds are available in 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.

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

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) Recreation Dept.
- f) Aforementioned Bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Z-Tech Contracting, LLC, for a total contract amount not to exceed \$351,589.28, 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 accounts at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: July 28, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP/PURCHASING TO ENTER INTO A CONTRACT WITH REALAUCTION.COM LLC, FOR ELECTRONIC TAX SALE SERVICES FOR THE TAX COLLECTOR'S OFFICE, AT \$15.00 PER CERTIFICATE ADVERTISED, NOT TO EXCEED THE BID THRESHOLD WHICH IS CURRENTLY \$44,000.00

JULY 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 the Township/Purchasing Division to enter into a contract with Realauction.com LLC, for electronic tax sale service for the Tax Collector's Office. The price for this auction is \$15.00 per certificate advertised not to exceed the bid threshold which is currently \$44,000.00.

2. Realauction.com LLC has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the firm has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which forms are on file in the Municipal Clerk's Office.

3. It hereby authorizes payment to Realauction.com LLC, in the amount of \$15.00 per certificate advertised, not to exceed the bid threshold, which is currently \$44,000.00, and funds are available in Account No. 0-01- -F18-534. 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) Township Attorney
- b) Chief Financial Officer
- c) Purchasing Division
- d) Tax Collector
- e) Tax Assessor
- f) Realauction.com LLC
861 SW 78th Avenue
Suite B102
Plantation, Florida 33324

CERTIFICATION

THIS IS TO CERTIFY that the funds for the payment to Realauction.com LLC, in the amount of \$15.00 per certificate advertised, not to exceed the bid threshold which is currently \$44,000.00, are available in Account No. 0-01- -F18-534

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: July 28, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE
TOWNSHIP TO AWARD A CONTRACT TO INTERNATIONAL
ASSOCIATION OF CHIEFS OF POLICE (IACP) FOR PROMOTIONAL
TESTING SERVICES FOR THE POLICE DEPARTMENT, AND
AUTHORIZING PAYMENT IN THE AMOUNT NOT TO EXCEED
\$30,000.00 UTILIZING FEDERAL ASSET
FORFEITURE FUNDS**

JULY 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 the Purchasing Division to retain the firm of International Association of Chiefs of Police (IACP) for Promotional Testing Services for the Police Department.

2. It hereby authorizes payment to International Association of Chiefs of Police (IACP) in the amount not to exceed \$30,000.00. The cost for the services is as follows:

Sergeant customized exam development	\$16,500.00
Sergeant In-basket exercise development	\$ 175.00 per candidate

Funds in the amount of \$30,000.00 are available in Account No. X-19- -600-052. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. International Association of Chiefs of Police (IACP) has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the firm has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which are on file in the Municipal Clerk's Office; and

4. The Township Council of the Township of Toms River has determined that it is the best interest of the Township of Toms River to retain the services of and payment to International Association of Chiefs of Police (IACP) in the amount of \$30,000.00.

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

- a) Township Attorney
- b) Chief Financial Officer
- c) Purchasing Division
- d) Police Department
- e) International Association of Chiefs of Police
44 Canal Center Plaza, Suite 200
Alexandria, VA 22314

L-July 28, 2020-12

CERTIFICATION

THIS IS TO CERTIFY that the funds for the payment to International Association of Chiefs of Police (IACP), in the amount not to exceed \$30,000.00, are available in Account No. X-19- -600-052.

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: July 28, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
AWARD OF CONTRACT TO PROFESSIONAL PROPERTY
APPRAISERS, THROUGH THE COMPETITIVE CONTRACTING
PROCESS, FOR REVALUATION OF ALL REAL PROPERTY
SITUATED WITHIN THE TOWNSHIP OF TOMS RIVER, IN
THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO
EXCEED \$2,348,650.00**

JULY 28, 2020

WHEREAS, proposals were invited on July 8, 2020 for Revaluation of All Real Property Situated Within the Township of Toms River, through the competitive contracting process; and

WHEREAS, proposals were received from the following vendors:

Tyler Technologies One Tyler Way Moraine, OH 45439	\$2,345,915.00
Professional Property Appraisers 101 Route 130 South Suite 301 Cinnaminson, NJ 08077	\$2,348,650.00

Appraisal Systems, Inc.
 264 South Street
 Morristown, NJ 07960 \$3,453,555.00

WHEREAS, the review committee for this solicitation consisted of Acting Township Administrator Louis Amoruso, Certified Municipal Finance Officer Alexander Davidson, Township Attorney Kenneth Fitzsimmons, Tax Assessor William Laird, Tax Collector Carl Dileo and Purchasing Agent Gail Catania; and

WHEREAS, before reviewing any proposals, each person on the committee reviewed the Ownership Disclosure Documents for each vendor and executed the statement certifying that there is no conflict of interest in accordance with the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et eq.; and

WHEREAS, Committee members reviewed the proposals both separately and together, and scored each vendor as follows:

	<u>TOTAL POINTS</u>
Tyler Technologies One Tyler Way Moraine, OH 45439	306
Professional Property Appraisers 101 Route 130 South Suite 301 Cinnaminson, NJ 08077	547
Appraisal Systems, Inc. 264 South Street Morristown, NJ 07960	415

WHEREAS, the scores were based upon the following observations:

Tyler Technologies was the lowest price but took multiple exceptions to the bid specifications and the agreement. They had limited experience in New Jersey and they have their own software with limited access.

Professional Property Appraisers was the second low price and has almost 30 years of experience and numerous references in New Jersey. Their staff consists of NJ tax assessors, appraisers, and have performed work for Toms River during the Superstorm Sandy emergency, and they have no litigation and have not failed to complete a project.

Appraisal Systems, Inc. has nearly the same experience and references as Professional Property Appraisers in the State of New Jersey, but their price was over \$1 million above the other two vendors.

WHEREAS, the Committee unanimously chose Professional Property Appraisers, at a total contract price of \$2,348,650.00;

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 a contract to Professional Property Appraisers for the Revaluation of All Real Property Situated within the Township of Toms River through the competitive contracting process, for a total maximum contract amount not to exceed \$2,348,650.00.

2. The report prepared pursuant to subsection (d) of this section has been posted to the Township website more than 48 hours in advance of award of contract, and shall become part of the public record and shall reflect the final action of the governing body. Contracts shall be executed pursuant to section 14 of P.L.1971, c.198 (C.40A:11-14).

3. The clerk or secretary of the contracting unit shall publish a notice in the official newspaper of the contracting unit summarizing the award of a contract, which shall include, but not be limited to, the nature, duration, and amount of the contract, the name of the vendor and a statement that the resolution and contract are on file and available for public inspection in the Office of the Township Clerk or secretary of the municipality, county, local public authority or special district of the governing body.

4. Funds in the amount not to exceed \$2,348,650.00, are available in Account No. X-99- -906-012.

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) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Division of Purchasing
- d) Chief Financial Officer
- e) Township Tax Assessor
- f) Township Tax Collector
- g) Township Attorney
- h) Acting Township Administrator
- i) All Aforementioned Vendors

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract awarded to Professional Property Appraisers, in the total contract amount not to exceed \$2,348,650.00, are available in Account No. X-99- -906-012.

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: July 28, 2020

TOMS RIVER TOWNSHIP NOTICE

The Township of Toms River has awarded a contract by competitive contracting, in accordance with N.J.S.A. 40A:11-4.1 et seq. The resolution authorizing it is available for public inspection in the Office of the Township Clerk.

AWARDED TO: PROFESSIONAL PROPERTY APPRAISERS

**SERVICES: REVALUATION OF ALL REAL PROPERTY
 SITUATED WITHIN THE TOWNSHIP OF TOMS
 RIVER**

**COST: MAXIMUM AMOUNT NOT TO EXCEED
 \$2,348,650.00**

**TERM: COMMENCING JULY 29, 2020 THROUGH
 JULY 28, 2021**

L-July 28, 2020-14 - NOTICE

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE SEALED
BIDS FOR A NEW/UNUSED REPLACEMENT TROMMEL SCREENER
FOR THE DEPARTMENT OF PUBLIC WORKS**

JULY 28, 2020

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

A NEW/UNUSED REPLACEMENT TROMMEL SCREENER FOR THE DEPARTMENT OF PUBLIC WORKS

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

1. The Purchasing Division is hereby authorized to prepare bid specifications for the above-mentioned items/project.

2. The Purchasing Division is hereby authorized to advertise and receive sealed bids for the above mentioned 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) Public Works Department
- c) Chief Financial Officer
- d) Township Attorney

L-July 28, 2020-06

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN, TOWNSHIP ENGINEER, TO EXECUTE A STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF LAND USE REGULATION APPLICATION FORM FOR CAFRA PERMIT(S)/AUTHORIZATION(S) FOR THE DISPATCH CENTER ADDITION AND PARKING IMPROVEMENTS AT THE POLICE STATION

JULY 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. Robert J. Chankalian, Township Engineer, is hereby authorized to execute a State of New Jersey, Department of Environmental Protection, Division of Land Use Regulation Application Form for CAFRA Permit(s)/Authorization(s), for the Dispatch Center addition and parking improvements at the Police Station. Funds in the amount of \$30,000.00, are available in Account No. X-04- -242-005.

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

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

- a) Township Attorney
- b) Chief Financial Officer
- c) Township Engineer
- d) State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
PO Box 420
501 East State Street –Mail Code 501-02A
Trenton, NJ 08625-0420
- e) Maser Consulting P.A.
331 Newman Springs Road, Suite 203
Red Bank, NJ 07701
Attn: Jacqueline M. McCort

L-July 28, 2020-08

CERTIFICATION

THIS IS TO CERTIFY that the fee for the State of New Jersey, Department of Environmental Protection CAFRA Permit, for the Dispatch Center Addition and Parking Improvements at the Police Station, in the amount of \$30,000.00 are available in Account No. X-04- -242-005.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: July 28, 2020

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

JULY 28, 2020

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

TOWNSHIP SKATE PARK 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 Purchasing Division and the Engineering Division are hereby authorized to prepare bid specifications for the above-mentioned items/project.

2. The Purchasing Division and the Engineering Division are hereby authorized to advertise and receive bids for the above mentioned 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) Department of Parks, Buildings and Grounds
- f) Recreation

L-July 28, 2020-01

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 ROAD ELEVATION PROJECT AT 6TH TERRACE, WEST HARBORSIDE DRIVE AND SPINDRIFT ROAD

JULY 28, 2020

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

ROAD ELEVATION PROJECT AT 6TH TERRACE, WEST HARBORSIDE DRIVE AND SPINDRIFT ROAD

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

L-July 28, 2020-20

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING THE RESOLUTION OF APRIL 28, 2020, WHICH ESTABLISHED 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, TO INCLUDE THE VIOLENT STORM SYSTEM THAT SWEEPED THROUGH THE AREA ON JUNE 3, 2020, AND CHARGING SUCH EXPENSES TO THE PEDESTRIAN SAFETY FUND

JULY 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, the Township of Toms River has determined to include the limited reimbursement program to assist property owners who sustained damage to curbs, sidewalks and/or street trees during the violent storm system that swept through the area on June 3, 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, and the violent storm system of June 3, 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, and the violent storm system of June 3, 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 damage occurred as a result of the storm on June 3, 2020.
3. 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.
4. 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.
5. 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, and the violent storm system of June 3, 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 damage occurred as a result of the storm on June 3, 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@tomsrivertownship.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
- h. Code Enforcement

SCHEDULE “A”

(SEE ATTACHMENTS)

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP OF TOMS RIVER TO ENTER INTO AN AGREEMENT, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO AN OCCARES GRANT AGREEMENT WITH THE COUNTY OF OCEAN

JULY 28, 2020

WHEREAS, the United States of America, the State of New Jersey, the County of Ocean, and the Township of Toms River, have become victims of the COVID-19 Virus and the Coronavirus Pandemic; and

WHEREAS, the Coronavirus has caused economic damage and hardship to states, counties, and municipalities throughout the United States of America; and

WHEREAS, on March 27, 2020, the Coronavirus Aid Relief and Economic Security Act (the “CARES Act”) was signed by President Trump; and

WHEREAS, the CARES Act was enacted, among other purposes, in order to combat the economic damage caused to states, counties, and municipalities because of the Coronavirus; and

WHEREAS, the County of Ocean has received CARES Act funds from the United States Treasury (the “Stimulus Funds”) to be used to reimburse the County, County Agencies, and Municipalities located with the County of Ocean due to economic damage caused to them by the Coronavirus; and

WHEREAS, as the recipient of the Stimulus Funds, it will be the responsibility of the County of Ocean to disburse the Stimulus Funds to eligible recipients in accordance with the terms and provisions of the CARES Act, and any guidelines or regulations issued by the United States government or any of its agencies and/or departments; and

WHEREAS, the Board of Chosen Freeholders have determined that it is in the best interest of the citizens of the County of Ocean to dedicate a portion of the funding to reimburse municipalities for COVID-19 related costs and expenses through the OCCARES Grant program;

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 of Toms River is authorized to enter into an OCCARES Grant Agreement with the County of Ocean.

2. The Mayor is authorized to execute and the Township Clerk to attest to an OCCARES Grant Agreement with the County of Ocean.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Acting Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) Grant Coordinator
- g) County of Ocean
Administration Building
101 Hooper Avenue
Toms River, NJ 08753

L-July 28, 2020-11

SCHEDULE "A"

(SEE ATTACHMENT)

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TAX COLLECTOR TO EXECUTE A DISCHARGE OF LIEN ASSESSMENT FOR REPLACEMENT HOUSING, STORAGE AND MOVING EXPENSES

JULY 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. Carl Dileo, Toms River Township Tax Collector, is authorized to execute a Discharge of Lien Assessment for replacement housing, storage and moving expenses in the amount of \$2,907.84 filed on May 16, 1997, in MB 4406, PG 238, on property described as Block 837, lot 25, 701 Parkside Avenue, Toms River, NJ, and attached hereto as Schedule "A" and made a part of this Resolution .

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) Acting Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Carl Dileo, Tax Collector
- g) William Laird, Tax Assessor

L-July 28, 2020-07

SCHEDULE "A"

(SEE ATTACHMENT)

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP OF TOMS RIVER/TOMS RIVER POLICE DEPARTMENT TO PARTICIPATE IN THE FFY19 COMPREHENSIVE OPIOID ABUSE PROGRAM: OVERDOSE DETECTION MAPPING APPLICATION PROGRAM STATEWIDE EXPANSION AND RESPONSE GRANT, AND IS AUTHORIZED TO ACCEPT A GRANT IN THE AMOUNT OF \$136,910.00 (SUBAWARD NUMBER FFY19ODMAP-4) FROM THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, TO THE TOMS RIVER POLICE DEPARTMENT, TO SUPPLEMENT TARGETED LAW ENFORCEMENT RESPONSE TO OPIOID OVERDOSES BASED ON GEOGRAPHIC AND OTHER INDICATORS DERIVED FROM ODMAP, FOR THE SUBAWARD PERIOD COMMENCING SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2021

JULY 28, 2020

WHEREAS, the Township of Toms River/Toms River Police Department are authorized to participate in the FFY19 Comprehensive Opioid Abuse Program: Overdose Detection Mapping Application Program Statewide Expansion and Response Grant, and is authorized to accept a grant in the amount of \$136,910.00 (Subaward Number FFY19ODMAP-4) from the New Jersey Department of Law and Public Safety, to the Toms River Police Department; and

WHEREAS, the Township of Toms River /Toms River Police Department are accepting the specific grant funds to supplement targeted law enforcement response

to opioid overdoses based on geographic and other indicators derived from ODMAP;
and

WHEREAS, the subaward period: September 1, 2019 through August 31, 2021;

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 of Toms River/Toms River Police Department are authorized to participate in the FFY19 Comprehensive Opioid Abuse Program: Overdose Detection Mapping Application Program Statewide Expansion and Response Grant, and are authorized to accept a grant in the amount of \$136,910.00 (Subaward Number FFY19ODMAP-4) from the New Jersey Department of Law and Public Safety, to the Toms River Police Department.

2. The Township of Toms River/Toms River Police Department are accepting the specific grant funds to supplement targeted law enforcement response to opioid overdoses based on geographic and other indicators derived from ODMAP. The subaward period: September 1, 2019 through August 31, 2021.

3. The Mayor is authorized to execute and the Township Clerk to attest to any and all documentation in connection with this grant.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Township Attorney
- d) Chief Financial Officer
- e) Police Department, Attn: Chief Mitchell Little
- f) Police Department, Attn: Lt. Sundack
- g) Grant Coordinator
- h) New Jersey Department of Law and Public Safety
Office of the Attorney General
25 Market Street
Trenton, NJ 08625

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the Township Council of the Township of Toms River, held on the 28th day of July, 2020, and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certification.

Dated: This 28th day of July, 2020.

SEAL

Signature of Certifying Officer

Maurice B. Hill, Jr.
Mayor

Name of Certifying Officer

Subaward Award No:
FFY19ODMAP-4

L-July 28, 2020-02

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SUBDIVISION KNOWN AS SPRUCE HILL ESTATES, BLOCK 608, LOT 39.
(120 Cedar Grove Road)**

July 28, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision, known as Spruce Hill Estates, Block 608, Lot 39.

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

- 1) Maintenance Cash Bond in the amount of \$22,800.00 currently on deposit in account # 0-14- -902-101 is hereby released with applicable interest;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Remsen Mills, Inc.
PO Box 49
Freehold, NJ 07728

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

July 28, 2020

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

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) Cash Bond in the amount of \$5,000.00 currently on deposit in account # 0-14- -902-101, is hereby released with applicable interest if any;

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

- e. Township Engineer
- f. Chief Financial Officer
- g. Township Attorney
- h. Michael Fish
Honey Locust 99, LLC
1500 Pine Park Avenue
Lakewood, NJ 08701

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS PROJECT FREEDOM, BLOCK 164, LOT 4 (2215 Massachusetts Avenue)

July 28, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Project Freedom, Block 164, Lot 4.

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

- 1) Maintenance Surety Bond # B1174978 in the amount of \$85,560.00, is hereby released;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Project Freedom
Timothy J. Doherty
1 Freedom Boulevard
Lawrence, NJ 08648

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF BARRACUDA BACKUP SOFTWARE AND SERVICE FOR FIVE YEARS FROM CDW-G, LLC, UTILIZING ESCNJ COOPERATIVE CONTRACT, #18/19-03, IN THE AMOUNT OF \$126,000.00, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LEASE AGREEMENT WITH HEWLETT-PACKARD FINANCIAL SERVICES (HPFS) COMPANY, TO FINANCE THE PAYMENT IN THE AMOUNT OF \$126,000.00 PAYABLE IN FIVE ANNUAL PAYMENTS OF \$26,806.50 EACH, INCLUDING INTEREST

JULY 28, 2020

WHEREAS, the Township of Toms River is a member of the Educational Services Commission of New Jersey #18/19-03, as authorized by N.J.S.A. 40A:11-11(5); and

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

WHEREAS, the Purchasing Division is requesting authorization to purchase Barracuda Backup Software and Service for Five Years, utilizing Educational Services Commission of New Jersey, Contract #18/19-03, in the amount of \$126,000.00 from the following vendor:

CDW-G, LLC
230 Milwaukee Avenue
Vernon Hills, IL 60061

WHEREAS, the Finance Department has determined that it would be beneficial for the Township to spread the payment over five (5) years, and is requesting authorization for the Township to enter into a lease agreement with Hewlett-Packard Financial Services (HPFS) Company, payable in five (5) annual payments of \$26,806.50 each:

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

1. It hereby authorizes the purchase of Barracuda Backup Software and Service for Five Years from CDW-G, LLC, utilizing Educational Services Commission of New Jersey, Contract #18/19-03, in the amount of \$126,000.00.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to a lease agreement with Hewlett-Packard Financial Services (HPFS) Company, to finance payment in the amount of \$126,000.00, payable in five (5) annual payments of \$26,806.50 each.

3. The amount of this purchase is \$126,000.00, and the five annual payments will be \$26,806.50 each. Funds for the first payment in the amount of \$26,806.50, are available in Account No. 0-01- -A17-510, and the remaining payments will be contingent upon approval of future municipal budgets

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Purchasing Division
- c) Chief Financial Officer
- d) Township Attorney
- e) IT Department
- f) CDW-G, LLC
230 Milwaukee Avenue
Vernon Hill, IL 60061
- g) Hewlett-Packard Financial Services Company
200 Connell Drive
Suite 5000
Berkeley Heights, NJ 07922

L-July 28, 2020-18

RESOLUTION

July 28, 2020

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

MESSAGE BUSINESS

**07-20 Blue Moon Therapy
 1242 Route 166
 Toms River, NJ**

**WHEREAS, said applicants have complied with all the
requirements of Ordinance numbers 1606 and 1682, Chapter 357,**

of the “Code of the Township of Toms River, New Jersey,” with respect to licensing; and

WHEREAS, the appropriate licensing fee has been paid

To the Township of Toms River;

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

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

**RESOLUTION MEMORIALIZING THE 2020 TOMS RIVER
SPECIAL IMPROVEMENT DISTRICT BUDGET**

JULY 28, 2020

WHEREAS, the Toms River Township Special Improvement Budget is stated, below, and

WHEREAS, public hearing was held on April 28, 2020;

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

1. The Toms River Special Improvement District Budget, adopted by resolution dated April 28, 2020, is hereby memorialized as follows:

The Special Improvement District Budget for the period of January 1, 2020 through December 31, 2020 is hereby approved, as follows:

S01 Ratables	\$139,742,700
S02 Ratables	\$ 49,447,500
Total 2019 Revenue to be raised by taxation:	
S01 Budget	\$252,000.00
S02 Budget	\$28,000.00
S01 Proposed 2019 Tax Rate	\$0.181
S02 Proposed 2019 Tax Rate	\$0.057

2. Public hearing of the Budget was held at the Toms River Township Council Meeting on:

Tuesday, April 28, 2020, 6:00 p.m.

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

- a) Chief Financial Officer
- b) Township Attorney
- c) Township Auditor
- d) Tax Assessor
- e) Tax Collector
- f) New Jersey Division of Local Government Services
- g) Alizar Nicholas Zorojew
Toms River Business Improvement District
53 Main Street
Toms River, N.J. 08753
- h) Ocean County Board of Taxation

4. The Municipal Clerk has advertised this resolution, in its entirety, as public notice of its introduction and as public notice of the hearing.

A motion was made by Council Member Lotano, seconded by Council Member Huryk, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach and Council President Maruca voting yes, to table item "K", entitled

"Resolution of the Township Council of the Township of Toms River, Ocean County, New Jersey, authorizing the Township to accept a \$247,500.00 bid for the sale of Lot 42.08, Block 394.25 (1870 Hinds Road) consisting of approximately 1.22 acres"

to the meeting of August 11, 2020.

REPORTS- none

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List 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:

TOWNSHIP COUNCIL MEETING ABSTENTION LIST			
Mtg of July 28, 2020	PAGE	PO NUMBER	AMOUNT
Councilman VP Geoghegan			
Silverton First Aid Squad, Inc.	72	20-03675	\$19,827.85
Council President Maruca			
Dasti, McGuckin Attorneys at Law	15, 16	20-03149	\$1,215.00
McGuckin, Gregory, Esq.	49	20-01314	\$891.00
NJ Motor Vehicle Commission	51	20-03604	\$120.00
TR Payroll- Item 93- NJ MVC Lease Program	3	20-03641	\$3,203.50
Councilwoman Huryk			
Borough of Lavallette	10	20-00162	\$467.59
Remington & Vernick Engineers	68	20-03158	\$5,040.00
TR Payroll- Item 17 - Recreation Salaries	1	20-03641	\$8,646.82
TR Payroll- Item 18 - Recreation Overtime Wages	1	20-03641	\$89.56
Councilman Kopp			
Oceans Harbor House	57	20-03461	\$3,698.00
Owen Little & Associates, Inc.	59	20-02556, 20-03148, 20-03513	\$5,859.45
Silverton First Aid Squad, Inc.	72	20-03675	\$19,827.85
Councilman Lotano			
O'Donnell, Stanton & Associates, Inc.	57	19-03911	\$348.75
Preferred Behavioral Health	66	20-03018	\$9,984.24
Berkeley Township		20-03611	\$55.00
Councilman Rodrick			
		All bills pertaining to Dasti, Murphy, McGuckin, Ulaky and Koutsouris and Greg McGuckin, Esq.	
Councilman Turnbach			
Dasti, McGuckin Attorneys at Law	15, 16	20-03149	\$1,215.00
McGuckin, Gregory, Esq.	49	20-01314	\$891.00
TR Payroll- Item 36- Magistrate Salaries	2	20-03641	\$7,499.70
James Citta	12	20-2704	\$1,000.00
Dietlmeier, William and Dana	16	20-3292	\$688.70

ELECTED OFFICIALS COMMENTS

PUBLIC COMMENTS

Mayor Hill spoke about the 2020 Census and wished Councilman Turnbach a happy belated birthday.

Councilwoman Huryk reported she received many thoughtful messages of support after she clarified her statement on social inclusion last meeting. She also reported a New Burger 25 opening on Route 37, Just Believe Thrift Shop opening, and to please continue to wear masks and stay 6 feet apart. Social distancing and washing hands still very important.

Councilman Rodrick had no comments.

Councilman Turnbach thanked Mayor Hill and Council President Maruca for their support of the food distribution efforts in the community. Special thanks given to Fulfil and Pastor Paulk and Dina Gifford of First Assembly of God Church for their help continuing the efforts when supplies ran out. Commented on Downtown Night Out, helping local businesses in the time of COVID pandemic. Farmers Market to open tomorrow and six spots available in the BID's Business Incubator.

Councilman Kopp wished Councilman Turnbach a happy birthday.

Councilman Lotano wished Councilman Turnbach a happy birthday, comments on Friday and Saturday's Downtown Night Out for outdoor dining, thanks for TR Police Department for helping to make it possible.

Council Vice President Geoghegan wished Councilman Turnbach a happy birthday and noted School Board election petitions were due July 27, 2020 and he did not endorse any one candidate.

Council President Maruca offered compliments on the Councilman Turnbach's "Pop the Trunk" food distribution events, saying it was all done by faith-based heroes who are all unsung heroes. Updates on Ortleigh Beach Streetscape Project, the curfew now

in place in the Northern beaches that has been in place as of the Fourth of July.
Happy Birthday wishes to Councilman Turnbach!

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

Jimmy Rolan of 3437 Bay Avenue asked how he could get involved with the food distribution efforts. Comments on Pay to Play.

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 6:35 p.m.

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

R E S O L U T I O N

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

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

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

1. The Township Council will now conduct a private Executive Session.
2. The general nature of the subject matter to be discussed and/or acted upon is as follows:
 - Matters of Personnel
 - Matters of Litigation
 - Attorney Client Privilege
 - Land Acquisitions
3. The following specific topics were announced.
 1. Executive Session Minutes: May 26, 2020 & July 14, 2020 Regular Meeting
 2. Personnel Issues
 3. Review of status of all real property acquisitions. (voluntary acquisitions and eminent domain actions)
 4. Vacation of alley off Dover Street
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 7:28 P.M., a motion was made by Council Member Lotano, seconded by Council Member Kopp and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council Present Maruca voting yes.

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

**RESOLUTION APPROVING
EXECUTIVE SESSION MINUTES**

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

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

1. The following Executive Session Minutes are approved:

July 14, 2020 Regular Meeting

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

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

**RESOLUTION APPROVING
EXECUTIVE SESSION MINUTES**

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

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

2. The following Executive Session Minutes are approved:

May 26, 2020 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 7:30 P. M., on motion with 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.

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK