

September 28, 2021

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 6:12 PM.

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

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

OPEN PUBLIC MEETINGS ACT
STATEMENT

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Friday, January 8, 2021, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBM News on Wednesday, January 6, 2021, 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 Tuesday, January 5, 2021. The meeting dates have also been posted on the Township web page.

Roll Call:

| | |
|-------------------------------|---|
| Council Member Huryk | - Present |
| Council Member Kopp | - Present (calling in via speakerphone) |
| Council Member Lotano | - Present (calling in via speakerphone) |
| Council Member Rodrick | - Present |
| Council Member Turnbach | - Present |
| Council Vice-President Maruca | - Absent |
| Council President Geoghegan | - Present |

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and with Council Members Huryk, Kopp, Lotano, Turnbach, Rodrick and Council Member Geoghegan voting yes, and with Council Member Maruca absent, to approve an excused absence for Council Member Maruca.

APPROVAL OF MINUTES

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Huryk, Kopp, Lotano, Turnbach and Council President Geoghegan voting yes, and Council Member Maruca absent, and with Council Members Rodrick abstaining, to approve the **Regular Meeting September 14, 2021**. 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

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Geoghegan voting yes, and with Council Member Maruca absent, to make the following honoring proclamations a part of the Minutes.

Council President and Council Members presented proclamation to P. David Correll, "The Voice of the Indian".

Township of Toms River

Proclamation

P. David Correll
“The Voice of the Indian”

WHEREAS, P. David Correll has been an enthusiastic and devoted educator at Toms River High School South for 43 years and;

WHEREAS, Mr. Correll has made lasting contributions to High School South including originating Senior Week, Senior Night, Senior Awards Night, Most Loyal Fan Award, AP History Test Review, Senior Parents Night, Band Recognition Night and Voice of the Indian and;

WHEREAS, Mr. Correll created long lasting school spirited traditions at High School South including: pep club, the mascots, preservation of the victory bell, preserving downtown victory parades, adapting school symbols and courtyard beautification and;

WHEREAS, after his retirement in 2007, **Mr. Correll** stayed on as Publicity Coordinator and the Voice of the Indian until 2020 and;

WHEREAS, Mr. Correll's legacy will continue to resonate not only within the walls of the school, but also within the minds of the students, parents, teachers and alumni throughout our town. He enriched Toms River with his service and dedication and should be proud of the tremendous impact he had on this town.

NOW, THEREFORE, be it resolved that I, Mayor Maurice B. Hill, with the full concurrence of the Township Council, gratefully honor **P. David Correll** for his enduring service and leadership to Toms River High School South and wish him continued success and happiness throughout his retirement.

Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan
Council President

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria L. Maruca

Daniel T. Rodrick

Terrance L. Turnbach

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, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY DESIGNATED AS LOT 87 IN BLOCK 411, AS SHOWN ON THE OFFICIAL TAX MAPS OF TOMS RIVER TOWNSHIP, PURSUANT TO THE PROVISIONS OF N.J.S.A 40A:12-5, AND FURTHER AUTHORIZING THE LEASING THEREOF TO JERSEY SHORE COUNCIL, INC./ BOY SCOUTS OF AMERICA, FOR NOMINAL CONSIDERATION PURSUANT TO N.J.S.A. 40A:12-14(c).

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 Geoghegan announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith.

Susan Van Masterson asked how long the lease is for just \$1.00?

Township Administrator Amoruso answered three years contract. Township maintains the building.

Michelle Williams, 111 Tiller Drive, questioned if we would be liable if incidents occurred in the building after we take ownership.

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 | Yes |
| Council Member Turnbach | Yes |
| Council Vice-President Maruca | Absent |
| Council President Geoghegan | Yes |

CONSENT AGENDA

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

A motion was made by Council Member Huryk, seconded by Council Member Turnbach and carried with Council Members Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Geoghegan voting yes, and with Council Member Maruca absent, to approve all the following items listed on the Consent Agenda except item **N, O, and P**, which were done separately.

RESOLUTION

SEPTEMBER 28, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) HAVE A NEW JERSEY STATE TAX APPAL, AND;

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>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2004/4</i> | <i>\$536,044.86</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2005/4</i> | <i>\$589,388.03</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2006/4</i> | <i>\$609,569.79</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2007/4</i> | <i>\$616,746.24</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2008/4</i> | <i>\$661,3297</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2009/4</i> | <i>\$984,516.60</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2010/4</i> | <i>\$843,387.95</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2011/4</i> | <i>\$820,600.00</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2012/4</i> | <i>\$616,590.00</i> |
| <i>BASF CORPORATION</i> | <i>411</i> | <i>6</i> | <i>2013/4</i> | <i>\$788,580.00</i> |

| | | | | |
|-------------------------|------------|----------|---------------|-----------------------|
| BASF CORPORATION | 411 | 6 | 2014/4 | \$811,980.00 |
| | | | | |
| TOTALS: | | | | \$7,878,700.94 |
| | | | | |

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
SEPTEMBER 28, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) HAVE A NEW JERSEY STATE TAX APPAL, AND;

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> |
|-------------------------|--------------|-------------|------------------|-----------------------|
| BASF CORPORATION | 411 | 6.01 | 2015/4 | \$860,527.64 |
| | | | | |
| BASF CORPORATION | 411 | 6.01 | 2016/4 | \$895,484.72 |
| | | | | |
| BASF CORPORATION | 411 | 6.01 | 2017/4 | \$921,673.26 |
| | | | | |
| BASF CORPORATION | 411 | 6.01 | 2018/4 | \$929,768.80 |
| | | | | |
| Totals: | | | | \$3,607,454.42 |
| | | | | |

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
SEPTEMBER 28, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) HAVE A NEW JERSEY STATE TAX APPAL, AND;

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> |
|-------------------------|--------------|------------|-------------------|---------------------|
| BASF CORPORATION | 411 | 107 | 2010/4 | \$247,548.62 |
| | | | | |

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
SEPTEMBER 28, 2021

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

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> |
|--------------------------------------|--------------|------------|-------------------|-------------------|
| SHARON & KEVIN DROZDOWSKI | 1036 | 15 | 2021/4 | \$8,679.13 |
| | | | | |

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 392.07 LOT 1.08 EFFECTIVE
FEBRUARY 4TH, 2021, , AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 392.07 LOT 1.08, located at 1717 Todd Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 4th, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 392.07 lot 1.08 due on or after February 4th, 2021 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 392.07 lot 1.08 if any, shall be refunded on a pro-rated basis from February 4, 2021.
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
 - b) Business Administrator
 - c) Township Attorney
 - d) Chief Financial Officer
 - e) Township Assessor
 - f) 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 192.45 LOT 18 EFFECTIVE AUGUST
6TH, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE
CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 192.45 Lot 18, located at 1801 Sweetbay Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective August 6th, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 192.45 lot 18 due on or after August 6th, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 192.45 lot 18 if any, shall be refunded on a pro-rated basis from August 6th , 2021.
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
 - b) Business Administrator
 - c) Township Attorney
 - d) Chief Financial Officer
 - e) Township Assessor
 - f) 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 841 LOT 19 EFFECTIVE
JULY 14TH, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 841 Lot 19, located at 207 Garfield Avenue, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective July 14th, 2021 and

]

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 841 lot 19 due on or after July 14th, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 841 lot 19 if any, shall be refunded on a pro-rated basis from July 14th , 2021.
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
- b) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Township Assessor
- f) 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 442.65 LOT 11 EFFECTIVE
FEBRUARY 1ST, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 442.65 Lot 11, located at 1118 Verdant Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 1st, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 442.65 lot 11 due on or after February 1st, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 442.65 lot 11 if any, shall be refunded on a pro-rated basis from February 1st , 2021.
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
- b) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Township Assessor
- f) 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 782 LOT 194 EFFECTIVE JULY 13TH,
2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE
CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 782 Lot 194, located at 536 Cornell Avenue, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective July 13th, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 782 lot 194 due on or after July 13th, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 782 Lot 194 if any, shall be refunded on a pro-rated basis from July 13th, 2021.
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
 - b) Business Administrator
 - c) Township Attorney
 - d) Chief Financial Officer
 - e) Township Assessor
 - f) 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 794.44 LOT 1 EFFECTIVE FEBRUARY
1ST, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE
CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 794.44 Lot 1, located at 2 Point Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 1st, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 794.44 lot 1 due on or after February 1st, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 794.44 lot 1 if any, shall be refunded on a pro-rated basis from February 1st, 2021.
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
- b) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Township Assessor
- f) 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 172.04 LOT 21.06 EFFECTIVE JULY
1ST, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE
CANCELLED AND/OR REFUNDED**

SEPTEMBER 28, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 172.04 Lot 21.06, located at 531 Woodview Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective July 1st, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 172.04 lot 21.06 due on or after July 1st, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 172.04 lot 21.06 if any, shall be refunded on a pro-rated basis from July 1st , 2021.
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
- b) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Township Assessor
- f) Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN
COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF OPEN-ENDED CONTRACTS FOR
JANITORIAL SUPPLIES REBID ITEMS TO UNITED SALES USA CORP., THE HOME DEPOT
PRO, IMPERIAL BAG & PAPER CO. LLC, GENERAL CHEMICAL & SUPPLY Inc., ACUITY
SPECIALTY PRODUCTS INC. D/B/A ZEP SALES AND SERVICE, AS THE LOWEST
RESPONSIBLE BIDDERS, MEETING ALL OF THE BID SPECIFICATIONS**

SEPTEMBER 28, 2021

WHEREAS, bids were received on January 14, 2021 for Janitorial Supplies Rebid Items, from the following vendors, and have been reviewed by the Purchasing Division, as follows:

United Sales USA Corp.
185 30th St.
Brooklyn, NY 11232

The Home Depot Pro
804 East Gate Dr.
Mt. Laurel, NJ 08054

Imperial Bag & Paper Co. LLC
255 Route 1 & 9
Jersey City, NJ 07306

General Chemical & Supply Inc.
858 N. Lenola Rd., Unit 1A
Moorestown, NJ 08057

Acuity Specialty Products Inc.
D/B/A Zep Sales and Service
3330 Cumberland Blvd., Suite 700
Atlanta, GA 30339

Mooney-General Paper Company
1451 Chestnut Ave.
Hillside, NJ 07205

WHEREAS, items shall be awarded as follows:

United Sales USA Corp for Item Numbers: 42, 69 and 146.

The Home Depot Pro for Item Numbers: 65, 66, 121, 128 and 130.

Imperial Bag & Paper Co LLC for Item Numbers: 4, 20, 53, 82, 83, 84, 103, 146, 149, 151 and 157.

General Chemical & Supply for Item Number: 77.

Acuity Specialty Products Inc., D/B/A Zep Sales and Service for Item Numbers: 70, 78, 126, 158 and 161.

WHEREAS, Item Numbers 104-109 will be awarded at a later date pending sample products; and

WHEREAS, Mooney-General Paper Company was rejected because it did not submit the proper proposal form;

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 Janitorial Supplies Rebid Items, to the following vendors as the lowest responsible bidders meeting all of the bid specifications, as follows:

United Sales USA Corp for Item Numbers: 42, 69 and 146.

The Home Depot Pro for Item Numbers: 65, 66, 121, 128 and 130.

Imperial Bag & Paper Co LLC for Item Numbers: 4, 20, 53, 82, 83, 84, 103, 146, 149, 151 and 157.

General Chemical & Supply for Item Number: 77.

Acuity Specialty Products Inc., D/B/A Zep Sales and Service for Item Numbers: 70, 78, 126, 158 and 161.

2. Item Numbers 104-109 will be awarded at a later date pending sample products; and

3. Mooney-General Paper Company was rejected because it did not submit the proper proposal form;

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

5. Term of Contracts shall be effective retroactive from September 25, 2021 through September 24, 2022. This award of these contracts are subject to all the terms and conditions of the bid specifications.

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

7. 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) All Departments
- e) United Sales USA Corp.
185 30th St.
Brooklyn, NY 11232
- f) The Home Depot Pro
804 East Gate Dr.
Mt. Laurel, NJ 08054
837 Cherry Street
- g) Imperial Bag & Paper Co. LLC
255 Route 1 & 9
Jersey City, NJ 07306
- h) General Chemical & Supply
858 N. Lenola Rd., Unit 1A
Moorestown, NJ 08057
- i) Acuity Specialty Products Inc.,
D/B/A Zep Sales and Service
3330 Cumberland Blvd., Suite 700
Atlanta, GA 30339

CERTIFICATION

THIS IS TO CERTIFY that the funds for the Janitorial Supplies Rebid Items awarded to the following vendors:

United Sales USA Corp.
The Home Depot Pro
Imperial Bag & Paper Co. LLC
General Chemical & Supply Inc.
Acuity Specialty Products Inc., D/B/A
Zep Sales and Service

shall be open-ended with funds being encumbered each time an order is placed, 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.

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 28, 2021

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT
FOR THE PURCHASE OF 64-GALLON SANITATION COLLECTION SYSTEM AUTOMATED/SEMI-
AUTOMATED (ROBO) CONTAINERS AND PARTS DISCOUNT FOR THE DEPARTMENT OF PUBLIC
WORKS, TO IPL NORTH AMERICA INC., AS THE LOWEST RESPONSIBLE BIDDER MEETING ALL THE
BID SPECIFICATIONS**

SEPTEMBER 28, 2021

WHEREAS, the Division of Purchasing requests authorization to award a contract for the purchase of 64-Gallon Sanitation Collection System Automated/Semi-Automated (ROBO) Containers and Parts Discount for the Department of Public Works; and

WHEREAS, bids were received on September 16, 2021, from the following vendors, as follows:

| | | |
|----------|--|--|
| | Schaefer Systems International Inc 10021 Westlake Drive Charlotte, NC 28273 | IPL North America Inc 140 rue Commerciale Saint-Damien-de- Buckland, QC Canada GOR 2Y0 |
| 1 | 95-Gallon Sanitation Containers - | |
| | Each: | |
| | \$ 67.33 | \$ 76.54 |
| | Manufacturer and Model of Container Bid: | |
| | Schaefer USD 95Z | IPL Mastercard - 60204 |
| | Delivery Time: | |
| | 16-18 weeks | 4-5 weeks |
| 2 | 64-Gallon Sanitation Containers - | |
| | Each: | |
| | \$ 60.03 | \$ 54.40 |
| | Manufacturer and Model of Container Bid: | |
| | Schaefer USD 65Z | IPL Mastercard - 60216 |
| | Delivery Time: | |
| | 16-18 weeks | 7-8 weeks |
| 3 | Discount off current parts catalog | |
| | 10.00% | 0.00% |
| | State the number of years the company has been in business: | |
| | 31 years | 65+ years |

WHEREAS, Item Number 1 for the 95-Gallon Sanitation Containers will be awarded at a later date pending demonstrations of the containers at 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. It hereby awards a contract for Item Number 2, 64-Gallon Sanitation Collection System Automated/Semi-Automated (ROBO) Containers, to IPL North America, Inc., as the lowest responsible bidder meeting all the bid specifications, for the Department of Public Works, as follows:

| | | |
|----------|--|--|
| | Schaefer Systems International Inc 10021 Westlake Drive Charlotte, NC 28273 | IPL North America Inc 140 rue Commerciale Saint-Damien-de- Buckland, QC Canada GOR 2Y0 |
| 1 | 95-Gallon Sanitation Containers - | |
| | Each: | |
| | \$ 67.33 | \$ 76.54 |
| | Manufacturer and Model of Container Bid: | |
| | Schaefer USD 95Z | IPL Mastercard - 60204 |
| | Delivery Time: | |
| | 16-18 weeks | 4-5 weeks |
| 2 | 64-Gallon Sanitation Containers - | |
| | Each: | |
| | \$ 60.03 | \$ 54.40 |
| | Manufacturer and Model of Container Bid: | |
| | Schaefer USD 65Z | IPL Mastercard - 60216 |
| | Delivery Time: | |
| | 16-18 weeks | 7-8 weeks |
| 3 | Discount off current parts catalog | |
| | 10.00% | 0.00% |
| | State the number of years the company has been in business: | |
| | 31 years | 65+ years |

2. There shall be a one-time order for this bid, with a maximum amount up to 3000 cans combined. 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) Department of Public Works
- e) IPL North America, Inc.
140 rue Commerciale
Saint-Damien-de-Buckland, QC
Canada GOR 2Y0

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF ONE (1) REDEXIM 2216 BULLET AND ACCESSORIES FOR BEY LEA GOLF COURSE, FROM FINCH SERVICES, INCORPORATED, UTILIZING BERGEN COUNTY COOPERATIVE CONTRACT #20-03, IN THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$28,989.25

SEPTEMBER 28, 2021

WHEREAS, the Township of Toms River is a member of the Bergen County Cooperative Pricing System, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, the Division of Purchasing is requesting authorization to utilize Bergen County Cooperative Pricing System #20-03 for the purchase of One (1) REDEXIM 2216 Bullet and accessories for Bey Lea Golf Course, from the following vendor:

Finch Services, Incorporated
419 Industrial Drive
North Wales, PA 19454
Bergen County Bid # 20-03

| <u>Item #</u> | <u>Description</u> | <u>List Price</u> | <u>Quantity</u> | <u>Total</u> |
|---------------|-------------------------------|-------------------|-----------------|--------------------|
| 111.122.016 | Verti-Drain 2216 (The Bullet) | \$29,885.00 | 1 | \$29,885.00 |
| 211.116.00 | Turf Hold Down Kit 24MM | \$ 630.00 | 1 | \$ 630.00 |
| | | | 5% Discount | \$ 1,525.75 |
| | | | Total: | \$28,989.25 |

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

1. It hereby authorizes the purchase of One (1) REDEXIM 2216 Bullet and accessories for Bey Lea Golf Course, utilizing Bergen County Cooperative Pricing System #20-03, from Finch Services, Incorporated, in the total maximum amount not to exceed \$28,989.25. This equipment, combined with previous purchases from this contract, will exceed the purchasing threshold and requires council approval.

2. Funds in the amount of \$28,989.25 are available in Account No. X-04-47-082-109.

3. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of this contract is subject to all terms and conditions of the bid specifications and the Master Contract as awarded by the Bergen County Cooperative Contract #20-03.

2. 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) Bey Lea Golf Course

- e) Division of Parks, Buildings and Grounds
- f) Finch Services, Incorporated
419 Industrial Drive
North Wales, PA 19454

CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of One (1) REDEXIM 2216 Bullet and accessories for Bey Lea Golf Course, from Finch Services, Incorporated, utilizing Bergen County Cooperative Contract #20-03, in the total maximum amount not to exceed \$28,989.25, are available in Account No. X-04-47-082-109.

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.

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 28, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF ONE (1) JOHN DEERE 4066R COMPACT UTILITY TRACTOR AND ACCESSORIES FOR THE BEY LEA GOLF COURSE, FROM DEERE & COMPANY, UTILIZING ESCNJ COOPERATIVE CONTRACT, #18/19-25, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$46,261.89

SEPTEMBER 28, 2021

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

WHEREAS, pursuant to bids received, a contract was awarded to Deere & Company, 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 One (1) John Deere 4066R Compact Utility Tractor and accessories for Bey Lea Golf Course, utilizing Educational Services Commission of New Jersey, Contract #18/19-25, in the total contract amount not to exceed \$46,261.89, from the following vendor:

Deere & Company
2000 John Deere Run
Cary, NC 27513
ESCNJ # 18/19-25

| <u>Item #</u> | <u>Description</u> | <u>List Price</u> | <u>Quantity</u> | <u>17 % Discount</u> | <u>Total</u> |
|---------------|---|-------------------|-----------------|--------------------------|--------------|
| 0389LV | 4066R Compact Utility Tractor (52 PTO hp) | \$42,657.00 | 1 | \$7,251.69 | \$35,405.31 |
| 0202 | United States | \$0.00 | 1 | \$0.00 | \$0.00 |
| 0409 | English Operator's Manual and Decal Kit | \$0.00 | 1 | \$0.00 | \$0.00 |
| 1520 | eHydro™ | \$0.00 | 1 | \$0.00 | \$0.00 |
| 1795 | Less Loader | \$0.00 | 1 | \$0.00 | \$0.00 |
| 2060 | Deluxe Cab with Air Ride Seat | \$9,919.00 | 1 | \$1,686.23 | \$8,232.77 |
| 2660 | Factory Installed Stereo | \$510.00 | 1 | \$86.70 | \$423.30 |

| | | | | | |
|----------|--|------------|---|---------------|--------------------|
| 4061 | Less iMatch™ Quick Hitch Category 1 | \$0.00 | 1 | \$0.00 | \$0.00 |
| 5090 | Less Wheel Spacer | \$0.00 | 1 | \$0.00 | \$0.00 |
| 5253 | 22.50LLx16.1 (6PR, R3 Turf Special, 1 Position) | \$580.00 | 1 | \$98.60 | \$481.40 |
| 6253 | 27x12LL-15 (6PR, R3 Turf Special, 2 Position) | \$82.00 | 1 | \$13.94 | \$68.06 |
| LVB24844 | External Mirror Kit (Cab Only) | \$203.50 | 1 | \$34.60 | \$168.91 |
| LVB25705 | Front Quik-Tatch™ Weight Kit | \$46.20 | 1 | \$7.85 | \$38.35 |
| LVA32113 | Quik-Tatch Weight, 70 lb (32 kg) | \$99.00 | 5 | \$16.83 | \$410.85 |
| BLV10045 | 4th and 5th Selective Control Valve Kit (Cab Only) | \$1,050.50 | 1 | \$178.59 | \$871.92 |
| LVA19248 | Oil Line | \$194.00 | 1 | \$32.98 | \$161.02 |
| | | | | TOTAL: | \$46,261.89 |

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 One (1) John Deere 4066R Compact Utility Tractor and accessories, for Bey Lea Golf Course from Deere & Company, as stated above, in the total contract amount not to exceed \$46,261.89, utilizing Educational Services Commission of New Jersey, Contract #18/19-25.

2. Funds in the amount of \$46,261.89 are available in Account No. X-04-47-082-109.

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) Division of Parks, Buildings and Grounds
- e) Bey Lea Golf Course
- f) Deere & Company
2000 John Deere Run
Cary, NC 27513

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Deere & Company in the total contract amount not to exceed \$46,261.89, are available in Account No. X-04-47-082-109.

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.

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 28, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO FRENCH & PARRELLO ASSOCIATES TO ASSIST THE ENGINEERING DIVISION IN THE PREPARATION OF ROADWAY ELEVATION PLAN FOR THE NORMANDY BEACH ROAD ELEVATION PROJECT, (A JOINT PROJECT WITH BRICK TOWNSHIP WITH NJDOT GRANT FUNDING), IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$169,110.00

SEPTEMBER 28, 2021

WHEREAS, resolution of the Township Council dated February 23, 2021, authorized the firm of French & Parrello Associates to be placed on a pre-approved list for professional inspection and general engineering services commencing February 24, 2021 up to and including December 31, 2021; and

WHEREAS, the Township requires architectural assistance to the Engineering Division in the preparation of the Roadway Elevation Plan for the Normandy Beach Road Elevation Project; and

WHEREAS, this is a joint project with Brick Township as this project limits span across Toms River Township and Brick Township boundaries; and

WHEREAS, by resolution dated May 26, 2020, the Township Council authorized 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 undertake street elevations in flood-prone sections of Normandy Beach in both municipalities – NJDOT State Aid Project in Fiscal Year 2021; and

WHEREAS, French and Parrello Associates has submitted a proposal dated March 1, 2021, for providing professional engineering services to assist the Township of Toms River Engineering Division and the Township of Brick in the preparation of the Roadway Elevation Plan for the Normandy Beach Road Elevation Project along Broad Avenue from 4th through 7th Avenues in Normandy Beach, in the total contract amount not to exceed \$169,110.00; and

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

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

1. It hereby awards a contract to French and Parrello Associates to assist the Engineering Division in the preparation of the Roadway Elevation Plan for the Normandy Beach Road Elevation Project along Broad Avenue from 4th through 7th Avenues in Normandy Beach, in the total contract amount not to exceed \$169,110.00.

2. Funds for this contract in the amount of \$169,110.00 are available in the following accounts:

| | |
|--------------------------|---------------------|
| Account No. X-04-244-002 | \$ 98,301.62 |
| Account No. X-04-247-002 | <u>\$ 70,808.38</u> |
| | \$169,110.00 |

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) Mayor Maurice B. Hill, Jr.
- b) Chief Financial Officer
- c) Purchasing Division
- d) Township Attorney

- e) Engineering Division
- f) French and Parrello Associates
1800 Route 34, Suite 101
Wall, NJ 07719

CERTIFICATION

THIS IS TO CERTIFY that the funds for the preparation of the Roadway Elevation Plan for the Normandy Beach Road Elevation Project awarded to French & Parrello Associates in the total contract amount not to exceed \$169,110.00, are available in the following accounts:

| | |
|--------------------------|---------------------|
| Account No. X-04-244-002 | \$ 98,301.62 |
| Account No. X-04-247-002 | <u>\$ 70,808.38</u> |
| | \$169,110.00 |

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 28, 2021

**RESOLUTION AMENDING BUDGET REVENUES AND APPROPRIATIONS
FOR AN ADDITIONAL 2021 OCEAN COUNTY SENIOR GRANT**

September 28, 2021

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant from the Ocean County Senior Services, and wishes to amend its 2021 Budget to include a portion of this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, County of Ocean, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2021 Budget the sum of \$28,000.00 which is now available as revenue from:

Miscellaneous Revenues -

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services -Public and Private Revenues Offset with Appropriations:

County of Ocean Grant (Senior).....\$28,000.00
pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$28,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

County of Ocean Grant (Senior).....\$28,000.00

BE IT FURTHER RESOLVED, that the Township Clerk forward copies of this resolution to the following:

- A) Division of Local Government Services (done electronically)
- B) Chief Financial Officer
- C) Township Auditor
- E) Department of Senior Services

Approved as to Content:

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, STATE OF NEW JERSEY, AUTHORIZING APPROVAL TO SUBMIT AN EXTENSION OF TIME REQUEST WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2019 MUNICIPAL AID GRANT FOR THE ELEVATION OF HARBOR COURT, CANAL LANE AND HARBOR DRIVE

September 28, 2021

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 formally approves the extension of time request for the above-stated project, in accordance with letter dated September 17, 2021, from Robert J. Chankalian, PE, CME, Township Engineer, addressed to Mr. Thomas Berryman, NJDOT, Bureau of Local Aid-District 3, in connection with the FY2019 Municipal Aid Program, Elevation of Harbor Court, Canal Lane and Harbor Drive project. Request for Time Extension, Township of Toms River, Ocean County, New Jersey, Job no. 18-012, which is attached hereto.

2. 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. Division of Engineering
- e. New Jersey Department of Transportation
Bureau of Local Aid-District 3
1035 Parkway Avenue
PO Box 600
Trenton, NJ 08625
Attn: Mr. Thomas Berryman

Certified as a true copy of the Resolution adopted by the Township Council on this 28th day of September, 2021.

ALISON CARLISLE
TOWNSHIP CLERK

My signature and the Clerk's Seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL -----
Township Clerk

Presiding Officer

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, STATE OF NEW JERSEY, AUTHORIZING APPROVAL TO SUBMIT AN EXTENSION OF TIME REQUEST WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY 2020 MUNICIPAL AID GRANT FOR THE ELEVATION OF PORTIONS OF OLD DO DRIVE, WINDSOR AVENUE AND SILVER BAY ROAD/BAY POINT DRIVE

SEPTEMBER 28, 2021

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 formally approves the extension of time request for the above-stated project, in accordance with letter dated September 17, 2021, from Robert J. Chankalian, PE, CME, Township Engineer, addressed to Mr. Thomas Berryman, NJDOT, Bureau of Local Aid-District 3, in connection with the FY2019 Municipal Aid Program, Elevation of Harbor Court, Cancal Lane and Harbor Drive project. Request for Time Extension, Township of Toms River, Ocean County, New Jersey, Job no. 19-012, which is attached hereto.

2. 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. Division of Engineering
- e. New Jersey Department of Transportation
Bureau of Local Aid-District 3
1035 Parkway Avenue
PO Box 600
Trenton, NJ 08625
Attn: Mr. Thomas Berryman

Certified as a true copy of the Resolution adopted by the Township Council on this 28th day of September, 2021.

ALISON CARLISLE
TOWNSHIP CLERK

My signature and the Clerk's Seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Township Clerk

Presiding Officer

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 120, LOTS 6, 8 AND 9 BLOCK 132, LOTS 285-288, BLOCK 132 LOTS 272-285 and 727-732. (Route 70)

September 28, 2021

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Block 120, Lot 6, 8 & 9, Block 132, Lot 285-288, Block 132, Lot 272-285 and 727-732.

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) Performance Cash Bond in the amount of \$253,000.00 currently on deposit in account # 1-14- -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. MBK Properties
25 Route 37 East
Toms River, NJ 08753

AMENDED AND RESTATED RESOLUTION OF THE TOWNSHIP OF TOMS RIVER AMENDING A RESOLUTION CONSENTING TO THE ISSUANCE OF CERTAIN SHORT-TERM NOTES BY THE TOMS RIVER MUNICIPAL UTILITIES AUTHORITY, AS PREVIOUSLY AMENDED

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

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

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

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

WHEREAS, on February 12, 2019 the Township adopted a resolution (the “Consent Resolution”) waiving the provisions of Section 411 of the Service Contract, insofar as applicable to the Authority’s financing of the “2019 Projects” (as defined in the Consent Resolution by reference to attached Exhibit A-1 and Exhibit A-2) through the issuance of up to \$3,900,000 in short-term debt obligations under the New Jersey Infrastructure Bank (the “I-Bank”) financing program; and

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

WHEREAS, by resolution adopted on March 24, 2020, the Authority authorized an amendment to the content and descriptions of the Equipment Projects and the capital projects referenced in said Exhibit A-1 (as amended, the “Pipes and Manholes Projects”); and

WHEREAS, by resolution adopted on April 28, 2020 the Township has heretofore amended the Consent Resolution to approve said project amendments; and

WHEREAS, on May 13, 2020, the Authority issued its \$185,000 Subordinated Sewer Revenue Bonds, 2020 Series A to the I-Bank and its \$387,587 Subordinated Sewer Revenue Bonds, 2020 Series B to the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection, in

order to permanently finance the June 2019 Construction Loan and thereby refinance the Equipment Projects; and

WHEREAS, on June 22, 2020, the Authority issued to the I-Bank its “Note Relating to the Water Bank Construction Financing Program of the New Jersey Infrastructure Bank” in the principal amount of \$3,100,000, representing an interim construction loan (the “June 2020 Construction Loan”) to finance the costs of the Pipes and Manholes Projects; and

WHEREAS, the Authority has since determined that the cost of the Pipes and Manholes Projects, as amended, is greater than the \$3,100,000 available therefor from the proceeds of the June 2020 Construction Loan; and

WHEREAS, by resolution adopted on August 24, 2021 (the “August 2021 Authority Resolution”), the Authority authorized an increase in the amount of notes that may be issued for the Pipes and Manholes Projects from \$3,200,000 to \$3,500,000, with a corresponding increase in the total amount of notes that may be issued for the 2019 Projects combined from \$3,900,000 to \$4,300,000; and

WHEREAS, the August 2021 Authority Resolution also authorized the issuance of an additional note to the I-Bank representing either (i) a supplemental interim construction loan to finance the increased costs of the Pipes and Manholes Project in excess of the portion financed by the June 2020 Construction Loan or (ii) a larger, replacement note for the entire costs of the Pipes and Manholes Project, thereby both funding the increased costs and refunding the June 2020 Construction Loan, provided that the aggregate outstanding amount of Notes outstanding at any time shall not exceed the amounts set forth in the preceding paragraph; and

WHEREAS, by resolution adopted on August 24, 2021 (the “August 2021 Township Resolution”), the Township amended the provisions of the Consent Resolution, as theretofore amended, so as to increase the authorized amount of Authority notes as aforesaid; and

WHEREAS, the Authority has since determined that certain additional costs of the Pipes and Manholes Project, as heretofore approved by the I-Bank, should be financed through the I-Bank’s financing program, rather than by inclusion in the Authority’s budget; and

WHEREAS, on September 28, 2021, the Authority has adopted, or expects to adopt, a resolution amending and restating the August 2021 Authority Resolution, to increase the amount of notes that may be issued for the Pipes and Manholes Project from \$3,200,000 to \$4,000,000, with a corresponding increase in the total amount of notes that may be issued for the 2019 projects combined from \$3,900,000 to \$4,800,000; and

WHEREAS, the Township now wishes to amend and restate the August 2021 Township Resolution so as to increase the authorized amount of Authority notes as aforesaid;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF TOMS RIVER, AS FOLLOWS:

Section 1. The Consent Resolution is hereby amended to increase the total amount of notes that may be issued for the Pipes and Manholes Project from \$3,200,000 to \$4,000,000, with a corresponding increase in the total amounts of notes that may be issued for the 2019 Projects combined from \$3,900,000 to \$4,800,000.

Section 2. This resolution amends and restates the August 2021 Township Resolution, and shall take effect immediately.

Councilman Turnbach asked Township Attorney what we are voting on.
Township Engineer Chankalian explained projects.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A
MAJOR SITE PLAN KNOWN AS, BLOCK 364, LOT 24, 26.01 AND 65.01 – Phase 1
(1606 Lakewood Road)**

September 28, 2021

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 364, Lot 24, 26.01 & 65.01 – Phase 1

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #S332476 in the amount of \$305,280.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$33,920.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$14,134.09 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 1606 Lakewood Road, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 1606 Lakewood Road, LLC
1580 Lakewood Road
Unit 16a
Toms River, NJ 08755

Councilman Turnbach asked Township Attorney what we are voting on.
Township Engineer Chankalian explained projects.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A
MAJOR SITE PLAN KNOWN AS, BLOCK 364, LOT 24, 26.01 AND 65.01 – Phase 2
(1606 Lakewood Road)**

September 28, 2021

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 364, Lot 24, 26.01 & 65.01 – Phase 2

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond #S332477 in the amount of \$312,660.00 which represents the ninety percent portion of the performance guarantee amount.
2. Check in the amount of \$34,740.00 which represents the ten percent portion of the performance guarantee amount.
3. Check in the amount of \$14,476.66 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 1606 Lakewood Road, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 1606 Lakewood Road, LLC
1580 Lakewood Road
Unit 16a
Toms River, NJ 08755

Councilman Turnbach asked Township Attorney what we are voting on. Township Engineer Chankalian explained projects.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS,
BLOCK 364, LOT 24, 26.01 AND 65.01 – Phase 3
(1606 Lakewood Road)**

September 28, 2021

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 364, Lot 24, 26.01 & 65.01 – Phase 3

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond #S332478 in the amount of \$83,070.00 which represents the ninety percent portion of the performance guarantee amount.
2. Check in the amount of \$9,230.00 which represents the ten percent portion of the performance guarantee amount.
3. Check in the amount of \$3,844.86 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 1606 Lakewood Road, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 1606 Lakewood Road, LLC
1580 Lakewood Road
Unit 16a
Toms River, NJ 08755

REPORTS - NONE

APPROVAL OF BILLS

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **September 23, 2021**, was approved on motion by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Geoghegan voting yes, and with Council Member Maruca absent. **The following respective exceptions to their votes were noted as abstentions to this vote:**

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

Purchase Order 21-03270, payable to Board of Fire Commissioners District two in the amount of \$720,304.40.

Purchase Order 21-04960, payable to United Healthcare in the amount of \$80,449.45.

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 21-04672, payable to Remington & Vernick Engineers in the amount of \$1,822.50.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 21-03270, payable to Board of Fire Commissioners District two in the amount of \$720,304.40.

Councilman Lotano - none

Councilman Rodrick – none

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 21-02618, payable to Citta, Holzapfel, Zabarsky in the amount of \$2,406.25.

Purchase Order 21-04966, payable to Magistrate Salaries in the amount of \$6,937.41.

ELECTED OFFICIALS COMMENTS

Councilman Kopp had no comments.

Councilman Lotano had no comments other than apologizing not being able to attend in person, only calling in.

Councilman Rodrick had no comments.

Councilman Turnbach thanked the Correll family for their dedication to High School South.

Councilman Geoghegan had no comments.

Councilwoman Huryk spoke regarding YMCA Fall Fest this Saturday, October 1, 2021.

Mayor Hill congratulated Mr. Correll, Semper Fi 5K run dedicated to Mayor Kelaher, Vest-A-Cop on Route 37, and had Open Space comments.

PUBLIC COMMENTS

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

Arthur Anderson, 12 Park Street, bills-boatworks-9K bill, what it was for? Township Planner Roberts explained.

Lorraine Harnelich, Vision Avenue, what does one penny mean. Like to see what they done and why they should be voted for.

Marianne Wallace, 2nd Avenue, Ortleigh Beach, complained regarding the certification of EMT teams to know which route is the quickest and most efficient to get to victims.

Paul Williams spoke regarding change in the downtown area, and that it would be beneficial for the public elected officials to be in attendance at the community events.

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

No other business appearing, on motion by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members Turnbach, Huryk, Kopp, Lotano, Rodrick and Council President Geoghegan voting yes, and with Council Member Maruca absent, the meeting was **adjourned** at 7:38 P. M.

KEVIN GEOGHEGAN, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK