

October 13, 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.

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 Lotano, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes, to approve the **Regular Meeting of September 22, 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**

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

Council President spoke regarding and excerpts from the Extra Mile Day Resolution on November 1, 2020.

*Township of Toms River*

# Proclamation

## Extra Mile Day

October 13, 2020

*WHEREAS, Toms River Township is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and*

*WHEREAS, Toms River Township is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and*

*WHEREAS, Toms River Township is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and*

*WHEREAS, Toms River Township acknowledges the mission of Extra Mile America to create 500 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2020.*

*NOW, THEREFORE, I, MAURICE B. HILL, JR., Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River do hereby proclaim **November 1, 2020 to be Extra Mile Day**. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.*

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**Mayor Maurice B. Hill, Jr.**

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**Maria Maruca  
Council President**

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**Kevin M. Geoghegan**

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**Laurie A. Huryk**

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**Joshua D. Kopp**

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**Matthew W. Lotano**

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**Daniel T. Rodrick**

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**Terrance L. Turnbach**

Council President spoke regarding the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RECOGNIZING THE MONTH OF NOVEMBER 2020 AS NATIONAL FAMILY CAREGIVER MONTH**

**OCTOBER 13, 2020**

WHEREAS, the Township of Toms River desires to recognize the Month of November 2020 as National Family Caregiver Month; and

WHEREAS, the Ocean County Board of Social Services is, with the Ocean County Office of Senior Services, part of the Ocean County Public Collaborative and works closely with government agencies and with concerned private organizations, including hospitals, to give patients a welcomed alternative to institutionalized care; and

WHEREAS, home care not only emphasizes the dignity, comfort, and independence of patients but also affirms the importance of family love and support to their well-being and enables clients to prevent, or to postpone costly hospital stays and other forms of institutional care; and

WHEREAS, November is the month where we take time to recognize and give praise and support to the millions of people who dedicate their time, often unpaid, caring for a family member in need; and

WHEREAS, as we approach the festive season when focus is placed on family and quality time, it is important that we show our appreciation for those who work tirelessly to provide care, whether it be financial, medical, domestic or emotional support; and

WHEREAS, we must never underestimate the strength that caregivers have for providing this support to those people who need it the most, nor the toll that it can take both emotionally and physically upon them; and

WHEREAS, countless numbers of lives have been touched by family caregivers thereby improving the quality of life for these citizens of New Jersey; and

WHEREAS, the Governor of the State of New Jersey, traditionally recognizes the Month of November as National Family Caregiver Month, and the Township of Toms River joins in celebrating this event during the Month of November 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 Township of Toms River recognizes and supports the Month of November 2020 as National Family Caregiver month.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Ocean County Board of Social Services  
1027 Hooper Avenue  
Toms River, NJ 08753
- g) 9<sup>th</sup> District Legislators
- h) 10<sup>th</sup> District Legislators
- i) 12 District Legislators
- j) 30<sup>th</sup> District Legislators
- k) The Honorable Governor Phil Murphy
- l) Human Services
- m) Ocean County Board of Freeholders
- n) Ocean County Office of Senior Services

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, AMENDING**

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

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 Turnbach seconded the motion:

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

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

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

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

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

**RESOLUTION OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF  
OCEAN, NEW JERSEY AUTHORIZING THE EXECUTION OF A SITE  
ACCESS AGREEMENT WITH CAPODAGLI PROPERTY COMPANY, LLC  
WITH RESPECT TO CERTAIN TOWNSHIP-OWNED PROPERTY WITHIN THE  
ROBBINS PARKWAY REDEVELOPMENT AREA**

**OCTOBER 13, 2020**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”) authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment and to create redevelopment plans which provide development controls for any area so designated; and

**WHEREAS**, in accordance with the criteria set forth in the Act, the Township of Toms River, New Jersey (the “**Township**”) identified and designated property identified as Block 668, Lots 9 and 13 on the tax map of the Township as an “area in need of redevelopment” (the “**Redevelopment Area**”) and adopted a redevelopment plan entitled the “Redevelopment Plan for Downtown Core Rehabilitation Area” as the same may be further amended and supplemented from time to time (the “**Redevelopment Plan**”); and

**WHEREAS**, the Township is the owner of a portion of the Redevelopment Area identified on the Township tax maps as Block 668, Lot 9 (the “**Township Property**”); and

**WHEREAS**, the Township Property is operated by the Parking Authority of the Township of Toms River (the “**Parking Authority**”); and

**WHEREAS**, the Township selected Capodagli Property Company, LLC (the “**Redeveloper**”) as the “conditional redeveloper” of the Redevelopment Area and executed an interim costs agreement authorized by resolution on December 10, 2019 by the Council of the Township in furtherance thereof, as amended on September 15, 2020; and

**WHEREAS**, in anticipation of the acquisition of the Redevelopment Area by the Redeveloper for the development of a mixed use project, in accordance with the Redevelopment Plan, and in order to undertake the necessary steps for conducting specific engineering testing to include (i) soil compression tests and (ii) soil borings, within the Township Property (the “**Engineering Tests**”) the Township and the Parking Authority wish to enter into a site access agreement with the Redeveloper establishing the terms for the Redeveloper to access the Township Property to perform such Engineering Tests (the “**Agreement**”); and

**WHEREAS**, nothing in the Agreement shall constitute or be construed as an agreement by the Township or the Parking Authority to sell the Township Property to the Redeveloper, or as creating any rights in the Redeveloper other than a revocable, limited license for accessing the Township Property and conducting engineering testing on the terms and conditions set forth in the Agreement.

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

**Section 1.** The aforementioned recitals are incorporated herein as though fully set forth at length.

**Section 2.** The Mayor is hereby authorized to execute the Agreement in substantially the form attached hereto, with such additions, deletions and modifications as may be necessary or desirable in consultation with counsel, and to take all other necessary or appropriate action to effectuate such Agreement

**Section 3.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

**Section 4.** A copy of this resolution shall be available for public inspection at the offices of the Township Clerk.

**Section 5.** This Resolution shall take effect immediately.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Planner
- f) Township Engineer
- g) Chief Financial Officer
- h) Parking Authority
- i) Frances Ciesla McManimon, Esq.  
McManimon, Scotland & Baumann, LLC  
427 Riverview Plaza  
Trenton, NJ 08611

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP**

**OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, SUPPORTING  
THE ACQUISITION BY PURCHASE OF 2370 WHITESVILLE ROAD, BLOCK 59,  
LOT 734.01 (9.7 ACRES) BY THE COUNTY OF OCEAN  
FOR OPEN SPACE PURPOSES**

**OCTOBER 13, 2020**

**WHEREAS**, the Mayor and Township Council of the Township of Toms River, support the County of Ocean purchasing 2370 Whitesville Road, Block 59, Lot 734.01 (9.7 acres) for open space purposes; and

**WHEREAS**, the acquisition of real property for open space purposes serves the dual role of explicitly protecting valuable habitat and coastal features, and implicitly removing vulnerable land from the development market; and

**WHEREAS**, the Township Council has determined that the acquisition of this property will augment the County of Ocean's inventory of open space for active and passive recreation purposes;

**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 supports the County of Ocean purchasing 2370 Whitesville Road, Block 59, Lot 734.01 (9.7 acres), for open space purposes. Consistent with the preservation of the property by the County as open space, this conveyance should be subject to the current landowner correcting all current violations and complying with all conditions contained in development approvals and/or permits approved by the Township and other land use agencies, and further subject to the current landowner paying all expenses and farmland roll-back taxes, if any.

2. It urges the County of Ocean to acquire these properties for the preservation of environmental, agricultural, aesthetic and managing growth purposes.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Clerk
- f) Chief Financial Officer
- g) Township Planner
- h) Township Engineer
- i) Tax Assessor
- j) Tax Collector
- k) Ocean County Board of Freeholders
- l) Mark A. C. Villinger, PP, AICP, CFM  
Supervising Planner  
Ocean County Planning Department  
129 Hooper Avenue  
PO Box 2191  
Toms River, NJ 08754-2191

**CONSENT AGENDA**

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

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

**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 444.27 LOT 8 EFFECTIVE AUGUST 6<sup>th</sup> 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**OCTOBER 13, 2020**

WHEREAS, the owner of real property in the Township of Toms River known as Block 444.27 Lot 8, located at 1158 Pioneer Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective August 6<sup>th</sup>, 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 444.27, Lot 8 due on or after August 6<sup>th</sup>, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 444.27 lot 8, if any, shall be refunded on a pro-rated basis from August 6<sup>th</sup> 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor Maurice B, HILL Jr.
  - b) Donald Guardian, Business Administrator
  - c) Kenneth B. Fitzsimmons, Township Attorney
  - d) Alexander Davidson, Chief Financial Officer
  - e) William Laird, Township Assessor
  - f) Carl Dileo, Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 192.19 LOT 33 EFFECTIVE JANUARY 1<sup>st</sup> 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**OCTOBER 13, 2020**

WHEREAS, the owner of real property in the Township of Toms River known as Block 192.19 LOT 33, located at 64 Mt Matterhorn Lane, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1<sup>st</sup>, 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 192.19 Lot 33 due on or after January 1<sup>st</sup>, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 192.19 lot 33, if any, shall be refunded on a pro-rated basis from January 1<sup>st</sup>, 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor Maurice B, HILL Jr.
  - b) Donald Guardian, Business Administrator
  - c) Kenneth B. Fitzsimmons, Township Attorney
  - d) Alexander Davidson, Chief Financial Officer
  - e) William Laird, Township Assessor
  - f) Carl Dileo, Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 231 LOT 8 EFFECTIVE FEBRUARY 28<sup>th</sup> 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**OCTOBER 13, 2020**

WHEREAS, the owner of real property in the Township of Toms River known as Block 231 Lot 8 located at 1713 Silverton Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 28th, 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:

3. All 2020 real property taxes for Block 231 Lot 8 due on or after February 28<sup>th</sup>, 2020, shall be cancelled.
4. All real property taxes from the date of this Resolution paid on Block 231 Lot 8, if any, shall be refunded on a pro-rated basis from February 28<sup>th</sup>, 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor Maurice B, HILL Jr.



- b) Donald Guardian, Business Administrator
- c) Kenneth B. Fitzsimmons, Township Attorney
- d) Alexander Davidson, Chief Financial Officer
- e) William Laird, Township Assessor
- f) Carl Dileo, Township Tax Collector

*RESOLUTION*

**OCTOBER 13, 2020**

*WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY FOR THE YEAR (S) INDICATED, DUE TO PROPERTY HAD A DIRECT WITHDRAWAL SET UP TO PAY TAXES, AND THE PROPERTY WAS SOLD, AND HOME OWNER FAILED TO NOTIFY THE TAX COLLECTOR TO DISCONTINUE THE DIRECT WITHDRAWAL;*

*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>
<b>SCALA, LOUIS</b>	<b>231</b>	<b>12</b>	<b>2020/3</b>	<b>\$2,110.92</b>

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*

**OCTOBER 13, 2020**

*WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY FOR THE YEAR (S) INDICATED, DUE TO PROPERTY WAS GRANTED A COUNTY BOARD TAX APPEAL;*

*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>
<b>MIDDLETON, TIMOTHY B ESQ. AND VORHEES</b>	<b>233.28</b>	<b>55.01</b>	<b>2020/4</b>	<b>\$1,405.81</b>

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**

**OCTOBER 13, 2020**

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) BECAME CONSOLIDATED; 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>
<b>GRUNIN, JAY &amp; LINDA</b>	<b>597</b>	<b>19</b>	<b>2020/4</b>	<b>\$ 190.88</b>
<b>GRUNIN, JAY &amp; LINDA</b>	<b>597</b>	<b>35</b>	<b>2020/4</b>	<b>53.68</b>
<b>GRUNIN, JAY &amp; LINDA</b>	<b>608</b>	<b>18</b>	<b>2020/4</b>	<b>48,334.99</b>
			<b>2020/3</b>	<b>648.25</b>

<b>TOTAL:</b>				<b>\$48,983.24</b>
<b>GRUNIN, JAY &amp; LINDA</b>	<b>608</b>	<b>19</b>	<b>C0702/20/4</b>	<b>\$25,978.17</b>
			<b>2020/3</b>	<b>348.41</b>
<b>TOTAL:</b>				<b>\$26,326.58</b>
<b>PRP PROPERTIES, LLC</b>	<b>825</b>	<b>18</b>	<b>2020/4</b>	<b>975.28</b>
<b>SIDDHIVINAYAK TEMPLE</b>	<b>172</b>	<b>11.04</b>	<b>C0308/20/4</b>	<b>\$ 899.86</b>
			<b>2020/3</b>	<b>899.86</b>
<b>TOTAL:</b>				<b>\$1,799.72</b>
<b>WHITING PINES REALTY C/O SUBURBAN</b>	<b>394</b>	<b>116 QFARM</b>	<b>2020/4</b>	<b>14.87</b>
<b>TOTALS:</b>				<b>\$78,344.25</b>

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**

**OCTOBER 13, 2020**

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

*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>AMROCK LLC ESCROW ONE</i>	<i>693</i>	<i>4.02</i>	<i>2020/3</i>	<i>\$1,473.79</i>
<i>COUNSELLORS TITLE AGENCY</i>	<i>443.35</i>	<i>18</i>	<i>2020/3</i>	<i>1,983.32</i>
<i>GREEN LABEL TITLE TRUST ACCT</i>	<i>192.31</i>	<i>81</i>	<i>2020/3</i>	<i>519.22</i>
<i>EVIDENT TITLE AGENCY INC.</i>	<i>135</i>	<i>2.02</i>	<i>2020/3</i>	<i>986.51</i>
		<i>C2005</i>		
<i>INSPIRE CLOSING SERVICES</i>	<i>1105.15</i>	<i>12</i>	<i>2020/3</i>	<i>1,044.80</i>
<i>ORCHARD STREET SETTLEMENTS</i>	<i>644.08</i>	<i>2.05</i>	<i>2020/3</i>	<i>\$1,557.03</i>
<i>S&amp;H ABSTRACT CO. SETTLEMENT</i>	<i>192.35</i>	<i>370</i>	<i>2020/3</i>	<i>1,011.59</i>
<i>SUMMIT NATIONAL OF NJ INC ESCROW ACCOUNT</i>	<i>609.18</i>	<i>48</i>	<i>2020/3</i>	<i>1,308.38</i>
<i>RIDGEVIEW TITLE AND SETTLEMENTS ESCROW ACCT.</i>	<i>442.47</i>	<i>2</i>	<i>2020/3</i>	<i>1,489.20</i>

<b>TOTALS:</b>				<b>\$11,373.84</b>

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 AMENDING BUDGET REVENUES AND APPROPRIATIONS  
FOR AN ADDITIONAL 2020 OCEAN COUNTY SENIOR/CAREGIVERS GRANT**

**October 13, 2020**

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 2020 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 2020 Budget the sum of \$22,543.00 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/Caregiver).....\$22,543.00  
pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$22,543.00 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/Caregiver).....\$22,543.00

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 AUTHORIZING A PROFESSIONAL SERVICE  
CONTRACT WITH THE FIRM OF T&M ASSOCIATES, TO ASSIST THE DIVISION OF  
ENGINEERING FOR THE DESIGN OF A NEW CHILLER AT THE OUTSIDE RINK AND THE  
INSIDE RINK DEHUMIDIFICATION SYSTEM, AT THE WINDING RIVER ICE SKATING  
CENTER, FOR A TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED  
\$34,500.00 FOR PHASE/TASK I, II, & III ONLY**

**OCTOBER 13, 2020**

WHEREAS, the Township Council awarded contracts by way of resolution to various business entities for services provided in the 2020 calendar year; and

WHEREAS, resolution of the Township Council dated May 12, 2020, authorized the firm of T&M Associates be put on a pre-approved list for the calendar year 2020 for inspection and general engineering services, commencing retroactive to March 24, 2020 up to and including December 31, 2020, at the following rates:

Principal Engineer	\$160.00/hour
Project Manager (PE)	\$155.00/hour
Design Engineer (EIT)	\$127.00/hour
Design Engineer	\$ 110.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$140.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$130.00/hour
Senior Designer	\$ 93.00/hour
Computer Technician	\$ 93.00/hour
Engineering Technician	\$ 93.00/hour
Survey Technician	\$ 79.00/hour
Senior CADD Operator	\$ 93.00/hour
CADD Operator	\$ 73.00/hour
Field Survey Crew	\$165.00/hour
Senior Inspector	\$105.00/hour
Inspector Level 1	\$ 61.00/hour
Inspector Level 2	\$ 85.00/hour
Secretary/Clerical	\$ 39.00/hour
Delivery	\$ 39.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

subject to the execution of a contract, the availability of funds, and the adoption of the CY20 budget, for the period commencing retroactive to March 24, 2020 up to and including December 31, 2020; and

WHEREAS, the Township requires professional engineering services to assist the Engineering Division in the design of a new chiller at the outside rink and the inside rink dehumidification system at Winding River Ice Skating Center; and

WHEREAS, T&M Associates, has submitted a proposal for this project dated September 10, 2020, T&M Project No. TRVROH-16002, in the total contract amount not to exceed \$34,500.00 for Phase/Task I, II, & III only; and

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

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

1. It hereby authorizes a contract with the firm of T&M Associates, for professional services in the design of a new chiller at the outside rink and the inside

rink dehumidification system at Winding River Ice Skating Center, in the total contract amount not to exceed \$34,500.00 for Phase/Task I, II, & III only, in accordance with their Proposal dated September 10, 2020, Proposal No. TRVROH16002, at the following rates:

Principal Engineer	\$160.00/hour
Project Manager (PE)	\$155.00/hour
Design Engineer (EIT)	\$127.00/hour
Design Engineer	\$ 110.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$140.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$130.00/hour
Senior Designer	\$ 93.00/hour
Computer Technician	\$ 93.00/hour
Engineering Technician	\$ 93.00/hour
Survey Technician	\$ 79.00/hour
Senior CADD Operator	\$ 93.00/hour
CADD Operator	\$ 73.00/hour
Field Survey Crew	\$165.00/hour
Senior Inspector	\$105.00/hour
Inspector Level 1	\$ 61.00/hour
Inspector Level 2	\$ 85.00/hour
Secretary/Clerical	\$ 39.00/hour
Delivery	\$ 39.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

All paperwork in connection with this project is on file in the Engineering Division. Contract term: Commencing October 14, 2020 through completion of the project.

2. Funds in the maximum amount not to exceed \$34,500.00, are available in Account No. X-04-46-732-019. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement with the firm of T&M Associates. A copy of the Agreement and Proposal dated September 10, 2020 shall be attached to this resolution as Schedule "A", and made a part hereof.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Purchasing Division
- d) Chief Financial Officer
- e) Township Attorney
- f) Township Engineer
- g) T&M Associates  
11 Tindall Road  
Middletown, NJ 07748  
Attn: Stephen Schreiber, P.E., CME  
Vice President/Department Manager

## CERTIFICATION

**THIS IS TO CERTIFY** that the funds for the professional service contract with the firm of T&M Associates, in the total maximum amount not to exceed \$34,500.00, are available in Account No. X-04-46-732-019, at the following rates:

Principal Engineer	\$160.00/hour
Project Manager (PE)	\$155.00/hour
Design Engineer (EIT)	\$127.00/hour
Design Engineer	\$ 110.00/hour
Professional Land Surveyor (PLS) (As a principal or partner)	\$140.00/hour
Professional Land Surveyor (PLS) (As an associate)	\$130.00/hour
Senior Designer	\$ 93.00/hour
Computer Technician	\$ 93.00/hour
Engineering Technician	\$ 93.00/hour
Survey Technician	\$ 79.00/hour
Senior CADD Operator	\$ 93.00/hour
CADD Operator	\$ 73.00/hour
Field Survey Crew	\$165.00/hour
Senior Inspector	\$105.00/hour
Inspector Level 1	\$ 61.00/hour
Inspector Level 2	\$ 85.00/hour
Secretary/Clerical	\$ 39.00/hour
Delivery	\$ 39.00/hour
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: October 13, 2020

**SCHEDULE "A"**

**See Attachments**

**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 PROPOSALS FOR THE CONSTRUCTION OF PICKLEBALL COURTS IN ORTLEY BEACH AND NORTH BEACH**

**OCTOBER 13, 2020**

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

**CONSTRUCTION OF PICKLEBALL COURTS IN ORTLEY BEACH AND NORTH BEACH**



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

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

2. The Purchasing Division is hereby authorized to advertise for the receipt of proposals for the above-mentioned items/project.

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

- a) Purchasing Division
- b) Engineering Division
- c) Recreation Dept.
- d) Chief Financial Officer
- e) Township Attorney

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO PURCHASE EQUIPMENT FOR POLICE VEHICLES FOR THE DEPARTMENT OF POLICE, FROM VENDOR WITH STATE CONTRACT, USING STATE CONTRACT #17-FLEET-00749, FROM ELITE VEHICLE SOLUTIONS, IN THE CONTRACT AMOUNT NOT TO EXCEED \$72,197.79**

**OCTOBER 13, 2020**

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

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. State Contract No. 17-FLEET-00749, to Purchase Equipment for Police Vehicles for the Department of Police, from Elite Vehicle Solutions, for a total contract purchase amount not to exceed \$72,197.79, as follows:

Elite Vehicle Solutions  
1000 Bennett Blvd., Unit 6  
Lakewood, NJ 08701

Contract # 17-FLEET-00749

	Item	Description	Quantity	Amount	Total
<i>Push Bumper</i>	SM Utility PB450L	Setina Push Bumper with Integrated Dual Color Nforce Lights	7	\$866.15	\$6,063.05
<i>Misc. Lighting</i>	SO UC Insert Red	Sound Off Signal Universal Undercover LED Insert - Red	7	\$72.90	\$510.30
	SO UC Insert Blue	Sound Off Signal Universal Undercover LED Insert - Blue	7	\$72.90	\$510.30
	SO UC Twist-Lock	Sound Off Signal Twist-Lock Adapter for LED Inserts	14	\$2.75	\$38.50
	SO MPWR 4 STM	Sound Off Signal - mpower 4" Fascia Light w/ Stud Mount, 18"	6	\$100.44	\$602.64
	SO MPWR 4 STM	Hard Wire w/ Sync Option Red/White Black Housing Sound Off Signal - mpower 4" Fascia Light w/ Stud Mount, 18" Hard Wire w/ Sync Option Blue/White Black Housing	6	\$100.44	\$602.64

	SO NF Single WS	SoundOff Signal Single Windshield Shroud for nForce	12	\$6.74	\$80.85
	SO MPWR 4 STM	Sound Off Signal - mpower 4" Fascia Light w/ Stud Mount, 18"	7	\$91.85	\$642.95
	SO MPWR 4 STM	Hard Wire w/ Sync Option Blue Sound Off Signal - mpower 4" Fascia Light w/ Stud Mount, 18"	7	\$91.85	\$642.95
	SO UC Insert White	Hard Wire w/ Sync Option Red Sound Off Signal - Universal Undercover LED Insert Single Light	14	\$72.90	\$1,020.60
	Tec Int Orion Light	Kit w/ 10' Cable: Includes Insert, Lens #1 & Inline Flasher - White 6 Inch Round Interior Light Red/White Chrome Trim Ring Hatch Dome	14	\$65.00	\$910.00
<i>Cage</i>	SM Utility 10XL	Setina Front Partition#10XL Recessed Panel, Coated Poly Front Cage	7	\$747.15	\$5,230.05
	SM Utility 12VS Poly	Setina Rear Partition #12VS Coated Polycarbonate Rear Cage	7	\$407.15	\$2,850.05
	SM Utility Window Bar	Setina Window Barrier VS Steel Vertical Rear Door Window Bars	7	\$228.65	\$1,600.55
	SM Utility Seat Repla.	Setina Rull Replacement Transport Seat TPO Plastic, w/ Center Pull Seat Belts	7	\$738.65	\$5,170.55
<i>Console</i>	Misc Part	2020+ Ford Police Interceptor Utility Low-Profile Console Box with Cup Holder and Rear Armrest Kit	7	\$362.88	\$2,540.16
	GJ Mongoose	Gamber Johnson - Mongoose XLE9 Motion Attachment	7	\$280.80	\$1,965.60
	Mag Mic	Magnetic Mic Adapter and Mount	7	\$26.25	\$183.75
	HS C Pocket 3	Havis Console 3" Accesory Pocket, 2.5" Deep	7	\$39.00	\$273.00
	HS C Pocket 6	Havis Console 6" Accesory Pocket, 2.5" Deep	7	\$48.45	\$339.12
<i>Rear Storage</i>	Misc Part	Setinal Cargo Box	7	\$993.65	\$6,955.55
	SM Electronics	Setina Electronics Tray	7	\$308.99	\$2,162.93
<i>Graphics</i>	Graphics	3M Graphics Package	7	\$325.00	\$2,275.00
<i>Misc. Lighting</i>	SO Int Dome LED R/W	Sound Off Signal - LED Dome Light, Universal Mount w/ Red LED Night Light - White Lens	7	\$57.20	\$400.40
	SO Inter B/W	Soundoff Signal Intersector Under Mirror Dual Color 18 LED Light B/W	1	\$163.90	\$163.90
	SO Inter R/W	Soundoff Signal Intersector Under Mirror Dual Color 18 LED Light R/W	1	\$163.90	\$163.90
	SO MPWR 4 STM RBW	Soundoff Signal Mpower 4" Fascia Light w/ Stud Mount 18"	2	\$119.35	\$238.70
	SO NF SD R/B 12 LED	Hard Wire w/ Sync Option Red/White Black Housing 18 LED Tri R/B/W Soundoff Signal - Nforce Single Deck/Grille Mount Light, SAE Class 1, 10-16V, Black Housing, 12 LED, Dual Color - Red/Blue	2	\$117.70	\$235.40
<i>Installation</i>	Labor	Hourly Rate \$85.00/Hr. 40 Hours/Vehicle Including Customer Supplied: Lightbar, Siren, Radio, Camera System, E-Ticket, and GPS Opticom	280	\$85.00	\$23,800.00

**Total: \$68,173.39**

		Hourly Rate \$85.00/Hr. 23			
<i>Installation</i>	Labor	Hours/Vehicle	46	\$85.00	\$3,910.00
		Customer Supplied Equipment Into Admin Ford Utilities (2)			
	SFIONR	DS Windshield			
	SFIONB	PS Windshield			
	IONR	DS Rear Hatch Window			
	IONB	PS Rear Hatch Window			
	MCRNTR	DS Grill			
	MCRNTB	PS Grill			
	I2J	Rear Side Windows (both)			
	VTX609C	2 Per Tail Light			
	ULF44	Taillight Flasher (1 per vehicle)			
	TLIR	DS Rear Hatch Bottom			
	TLIB	PS Rear Hatch Bottom			
	HHS 3200	Hand Held Siren Panorama Antenna Converter Com for Portable Radio			
<i>Misc.</i>	SO Int Dome LED R/W	Soundoff Signal - LED Dome Light, Universal Mount w/ Red LED Night Light - White Lens	2	\$57.20	\$114.40
				<b>Total</b>	<b>\$4,024.40</b>
				<b>Grand Total:</b>	<b>\$72,197.79</b>

3. Funds in the amount of \$72,197.79 are available in Account No. X-04- -248-006.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Elite Vehicle Solutions  
1000 Bennett Blvd., Unit 6  
Lakewood, NJ 08701

## CERTIFICATION

**THIS IS TO CERTIFY** that the funds for the contract for vendor with State contract, Elite Vehicle Solutions, in the total maximum contract amount not to exceed \$72,197.79, are available in Account No. X-04- -248-006.

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: October 13, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO SCRAP AND RECYCLE ONE (1) SHARP COPIER, MODEL #AR-M455N, FIXED ASSET #5227, FROM THE RECORDS DEPARTMENT, WHICH IS UNFIT FOR PUBLIC USE, PURSUANT TO N.J.S.A. 40A:11-36**

**OCTOBER 13, 2020**

**WHEREAS**, the Records Department has one (1) Sharp Copier Asset Tag #5227 which is unfit for public use. This item is in such a bad state of deterioration, it has become unfit for public use and it has now been determined that it would be a liability for the Township to continue to attempt to utilize it in its condition, or to sell at public auction. Accordingly, sound business judgment would indicate that the best course of action to be taken in this matter is to scrap and recycle the following:

Sharp Copier – Records Department  
Fixed Asset: 5227

Model #: AR-M455N  
Serial #: 65021493  
Equipment ID: C-8329

**WHEREAS**, it has been determined that it would be in the best interest of the Township to scrap the item listed above;

**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. Pursuant to N.J.S.A. 40A:11-36, it hereby authorizes the Purchasing Division to scrap and recycle the above listed item, as it is in such a bad state of deterioration, and has become unfit for public use, or to sell at public auction.

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

- a) Township Attorney
- b) Chief Financial Officer
- c) Purchasing Division
- d) IT Department
- e) Records Department
- f) Township Clerk's Office

**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 THE PURCHASE OF CLASS B POLICE UNIFORMS FOR THE POLICE DEPARTMENT**

**OCTOBER 13, 2020**

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

**CLASS B POLICE UNIFORMS FOR  
THE POLICE DEPARTMENT**

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

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

2. The Purchasing Division is hereby authorized to advertise for the receipt of sealed bids for the above-mentioned items/project for the Police Department.

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) Police Department

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RESCINDING ITEM #126 ON RESOLUTION DATED AUGUST 25, 2020, AWARDING FIRST AID SUPPLIES TO HENRY SCHEIN, INC., DUE TO A PRICING ERROR ON THEIR BID SUBMISSION**

**OCTOBER 13, 2020**

WHEREAS, bids for First Aid Supplies were received on August 5, 2020, where item numbers 46, 48-51, 155, 157, 162-165, 168, 172, 193 and 194 received no bids. All other items were awarded on August 25, 2020; and

WHEREAS, the above items were rebid on September 16, 2020, and one bid was received from Uweport, LLC, 3623 Latrobe Dr., Ste 201, Charlotte, NC, 28221, who was deemed non-responsive for using the wrong proposal form; and

WHEREAS, as per NJSA 40A:11-5(3)(a), the Purchasing Division began the negotiation process and prices were submitted by the following vendors:

JML Medical, Inc.  
1 Havenwood Ct., Unit 5  
Lakewood, NJ 08701

Cintas Corporation  
190 East Ninth Avenue, Unit A  
Runnemede, NJ 08078

WHEREAS, after review by the Purchasing Division and the Office of Emergency Management, it was determined that the above items shall not be awarded because the pricing is too high. Quotes will be obtained prior to purchasing those items; and

WHEREAS, in addition, Item #126 which was awarded to Henry Schein, Inc., 135 Duryea Rd., Melville, NY, 11747, on August 25, 2020, be rescinded due to a pricing error on their bid submission. Quotes will now be obtained prior to purchasing that item; and

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 rescinds the award of contract for Item No. 126, which item was awarded to Henry Schein, Inc., per resolution dated August 25, 2020, for First Aid Supplies, due to a pricing error on their bid submission.

2. Quotes will now be obtained prior to purchasing that item.

3. All other terms and conditions of the resolution dated August 25, 2020, shall remain unchanged, and in full force and effect.

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) All Departments
- e) Henry Schein Inc.  
135 Duryea Rd.  
Melville, NY 11747

**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 THE PREVENTATIVE MAINTENANCE, INSTALLATION AND REPAIR SERVICES FOR HEATING, VENTING, AND AIR-CONDITIONING (HVAC) EQUIPMENT FOR VARIOUS TOWNSHIP BUILDINGS**

**OCTOBER 13, 2020**

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

**PREVENTATIVE MAINTENANCE, INSTALLATION AND REPAIR SERVICES FOR HEATING, VENTING, AND AIR-CONDITIONING (HVAC) EQUIPMENT FOR VARIOUS TOWNSHIP BUILDINGS**

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

1. The Purchasing Division is hereby authorized to prepare bid specifications for the above-mentioned items/project.
2. The Purchasing Division is hereby authorized to advertise for the receipt of sealed bids for the above-mentioned items/project for various township buildings.
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) All Departments

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST EXTENSION OF THE EXISTING OPEN-ENDED CONTRACT FOR THE SUPPLY OF BARBER SURF RAKE REPAIR PARTS WITH H. BARBER & SONS, INC., FOR ONE (1) YEAR COMMENCING RETROACTIVE TO JULY 22, 2020 THROUGH JULY 21, 2021**

**OCTOBER 13, 2020**

WHEREAS, resolution of the Township Council dated June 26, 2018, authorized the award of an open-ended contract for the Supply of Barber Surf Rake Repair Parts to H. Barber & Sons, Inc., as sole bidder, for two (2) years, effective July 22, 2018 through July 21, 2020; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15 (45), which allows for the contract to be extended for up to two (2) additional one (1) year contract terms upon expiration of the original contract; and

WHEREAS, the Purchasing Division has determined that it is in the best interest of the Township to extend this contract for the first additional one (1) year term;

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 first extension of the existing open-ended contract with H. Barber & Sons, Inc., for the Supply of Barber Surf Rake Repair Parts, effective retroactive to July 22, 2020 through July 21, 2021.

2. The extension of this contract shall be subject to all the terms and conditions of the original contract award:

- |    |  |                                 |
|----|--|---------------------------------|
| 1) | Discount off current Barber Repair Parts Price List: | 0%                              |
|    | Manufacturer Bid:                                    | H. Barber & Sons, Inc. "Barber" |
| 2) | Percentage discount for Payment within 30 days:      | 0%                              |
| 3) | Availability of parts after Receipt of order:        | One day                         |

3. The extended contract will be an open-ended contract with funds being encumbered each time a request for service is placed, contingent upon the availability of funds in the appropriate municipal budget year. 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) Bey Lea Golf Course
- e) H. Barber & Sons, Inc.  
15 Raylkwich Drive  
Naugatuck, CT 06770

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for purchase of One (1) Additional Rear-Loading Refuse Collection Body with Cab and Chassis from Granturk Equipment Co. Inc., for a total contract amount not to exceed \$210,730.00, are available in Account No. X-04-46-732-004.

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: October 13, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF OPEN-ENDED CONTRACTS FOR THE SUPPLY OF JANITORIAL SUPPLIES TO VARIOUS VENDORS, AS LOWEST, RESPONSIBLE/RESPONSIVE BIDDERS**

**OCTOBER 13, 2020**

WHEREAS, bids were received on August 13, 2020, for the Supply of Janitorial Supplies; and

WHEREAS, bids were received from the following vendors:

Cooper Friedman Electric Supply Co., Inc.  
d/b/a Cooper Electric Supply Co.  
1 Matrix Drive  
Monroe, NJ 08831

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

Scoles Floorshine Industries  
PO Box 2303  
Farmingdale, NJ 07727

Home Depot USA Inc./The Home Depot Pro  
701 San Marco Blvd.  
Jacksonville, FL 32207

WB Mason Co., Inc.  
300 Prospect Plains Road  
Cranbury, NJ 08512

Mooney General Paper Co.  
1451 Chestnut Avenue  
Hillside, NJ 07205

Spruce Industries  
759 East Lincoln Avenue  
Rahway, NJ 07065

Central Poly-Bag Corp.  
2400 Bedle Place  
Linden, NJ 07036

Interboro Packaging Corp.  
114 Bracken Road  
Montgomery, NY 12549

WHEREAS, items which received no bids, or the item bid did not meet the specifications because of limited availability due to the ongoing pandemic were rebid on September 30, 2020, and received from the following vendors:

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

Klean Comm. LLC  
3048 South Broad Street  
Hamilton, NJ 08610

WB Mason Co., Inc.  
300 Prospect Plains Road  
Cranbury, NJ 08512

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

**WHEREAS**, the bids have been reviewed by the Purchasing Division, and they have recommended that contracts be awarded to the following vendors:



**Interboro Packaging Corp. – Item No. 73.**

**Spruce Industries** - Item Nos. 36, 60 and 128.

**Central Poly-Bag & Paper Co., Inc.** – Item Nos. 6 and 16.

**General Chemical & Supply Inc.** - Item Nos. 4, 7, 12, 34, 44, 45, 52, 53a, 53b, 57, 58, 68, 72, 96, 117, 147, 148, and 154.

**Cooper Friedman Electric Supply Co. Inc d/b/a Cooper Electric Supply Co.** - Item Nos. 76, 77a, 116, 129, 131-133, 135,141a, 142, 145, and 146.

**Home Depot USA Inc./The Home Depot Pro** - Item Nos. 8, 11, 17, 18, 32, 35, 38, 41, 43, 46, 51, 65, 70, 79, 87, 89, 94, 95, 97-99, 108, 110, 119, 112, 113, 115, 123, 125, 140, 153, 160, and 164.

**Mooney General Paper Co.** – Item Nos. 47-49, 54, 55, 62, 63, 71, 74, 78, 111, 137, 138, 150, 158, 159, and 162.

**Scoles Floorshine Industries** – Item Nos. 124 and 126.

**WB Mason Co. Inc.** - Item Nos. 1-3, 5, 9, 10, 13-15, 20-31, 37, 39, 42, 50,56, 59, 61, 69, 80-85, 88, 90-93, 104, 109, 118-122, 127, 130, 134, 136, 139, 141b, 143, 144, 149, 152, 155-157, 161, and 163.

**Klean Comm LLC** – Item Nos. 19, 66, 67, and 151,

**Imperial Bag & Paper Co. LLC** - Item Nos. 64, 100-103, 105-107, and 114.

**WHEREAS**, Item Nos. 33, 40, 75, 77b, and 86 received no bids and quotes will be obtained prior to purchase;

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

1. It hereby awards a contract for the Supply of Janitorial Supplies, as follows:

**Interboro Packaging Corp. – Item No. 73.**

**Spruce Industries** - Item Nos. 36, 60 and 128.

**Central Poly-Bag & Paper Co., Inc.** – Item Nos. 6 and 16.

**General Chemical & Supply Inc.** - Item Nos. 4, 7, 12, 34, 44, 45, 52, 53a, 53b, 57, 58, 68, 72, 96, 117, 147, 148, and 154.

**Cooper Friedman Electric Supply Co. Inc d/b/a Cooper Electric Supply Co.** - Item Nos. 76, 77a, 116, 129, 131-133, 135,141a, 142, 145, and 146.

**Home Depot USA Inc./The Home Depot Pro** - Item Nos. 8, 11, 17, 18, 32, 35, 38, 41, 43, 46, 51, 65, 70, 79, 87, 89, 94, 95, 97-99, 108, 110, 119, 112, 113, 115, 123, 125, 140, 153, 160, and 164.

**Mooney General Paper Co.** – Item Nos. 47-49, 54, 55, 62, 63, 71, 74, 78, 111, 137, 138, 150, 158, 159, and 162.

**Scoles Floorshine Industries** – Item Nos. 124 and 126.

**WB Mason Co. Inc.** - Item Nos. 1-3, 5, 9, 10, 13-15, 20-31, 37, 39, 42, 50,56, 59, 61, 69, 80-85, 88, 90-93, 104, 109, 118-122, 127, 130, 134, 136, 139, 141b, 143, 144, 149, 152, 155-157, 161, and 163.

**Klean Comm LLC** – Item Nos. 19, 66, 67, and 151,

**Imperial Bag & Paper Co. LLC** - Item Nos. 64, 100-103, 105-107, and 114.

**WHEREAS**, Item Nos. 33, 40, 75, 77b, and 86 received no bids and quotes will be obtained prior to purchase;

2. The Term of Contracts shall be retroactive to September 25, 2020 through September 24, 2021. The award of these contracts is subject to all the terms and conditions of the bid specifications. These will be open-ended contracts with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget year.

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) All Aforementioned Bidders

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the open-ended contracts awarded to:

Interboro Packaging Corp.  
Spruce Industries  
Central Poly-Bag Corp.  
General Chemical & Supply Inc.  
Cooper Friedman Electric Supply Co., Inc. d/b/a Cooper Electric Supply Co.  
Home Depot USA Inc./The Home Depot Pro  
Mooney General Paper Co.  
Scoles Floorshine Industries  
WB Mason Co., Inc.  
Klean Comm LLC  
Imperial Bag & Paper Co., LLC,

are contingent upon the availability of funds in the appropriate municipal budget.

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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: October 13, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL FO THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE RESOLUTION DATED JANUARY 28, 2020, AWARDING A CONTRACT FOR PROFESSIONAL SERVICES TO JERSEY SHORE VETERINARY EMERGENCY SERVICE, FOR AN INCREASE IN THE CONTRACT IN THE AMOUNT OF \$2,500.00, FOR A TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$7,500.00, FOR**

**ACCOUNT NO. 0-13- -911-011 ONLY. TOTAL CONTRACT AMOUNT  
NOT TO EXCEED \$8,500.00 FOR CY20**

**OCTOBER 13, 2020**

WHEREAS, resolution of the Township Council dated January 28, 2020, authorized a professional service contract with Jersey Shore Veterinary Emergency Service, for Emergency Veterinarian Services for the Township of Toms River, in an amount not to exceed \$6,000.00 for CY20, for Account No. 013- -911-011 - \$5,000.00, and Account No. 0-01- -P45-534 - \$1,000.00 for CY20, subject to the execution of a contract, the availability of funds, and the adoption of the CY20 budget, for the term commencing January 1, 2020 up to and including December 31, 2020; and

WHEREAS, it is necessary to amend the resolution dated January 28, 2020 to increase the contract with Jersey Shore Veterinary Emergency Service by an additional \$2,500.00 available in Account No. 0-13- -911-011 only for CY20, or a total maximum amount not to exceed \$7,500.00 for CY20 for Account No. 0-13- -911-011. The amount in Account No. 0-01- -P45-534 in the amount of \$1,000.00 will remain the same. Total contract amount not to exceed \$8,500.00;

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 authorizes an amendment to the Resolution dated January 28, 2020, retaining the professional services of Jersey Shore Veterinary Emergency Service, for Emergency Veterinarian Services for the Township of Toms River, in order to increase the contract by an additional \$2,500.00 for Account No. 0-13- -911-011 only for CY20, or a total maximum amount not to exceed \$7,500.00, with funds available in Account No. 0-13- -911-011 only for CY20. The amount in Account No. 0-01- P45-534 in the amount of \$1,000.00 will remain the same with no increase required. Total contract amount not to exceed \$8,500.00 for CY20.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to an Amended Agreement with Jersey Shore Veterinary Emergency Service, a copy of which is attached to this resolution as Schedule "A" and made a part hereof.

3. All other terms and conditions of the resolution dated January 28, 2020 and contract, are to remain in full force and effect.

4. A notice of this action shall be advertised once by the Clerk in the Asbury Park Press.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Purchasing Division
- g) Human Services, Attn: Joann Benson
- h) Animal Facility
- i) Jersey Shore Veterinary Emergency Service  
1000 State Highway 70  
Lakewood, NJ 08701

**AMENDED CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the amended contract with Jersey Shore Veterinary Emergency Service, in the amount of \$2,500.00, are available in Account No. 0-13- -911-011, or a total amount not to exceed \$7,500.00 for CY20.

Total contract amount for CY20 not to exceed \$7,500.00 for Account No. 0-13- -911-011 - \$7,500.00.

The amount in Account No. 0-01- -P45-534 - \$1,000.00 will remain the same with no additional money required.

More specifically, the actual encumbrance of the funds will be based on the approval of fully executed purchase orders 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: October 13, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS, BLOCK 797, LOTS 1, 2, 3 AND 4 (1801 Route 37 East)**

**October 13, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 797, Lots 1-4.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety & Stabilization portion guarantee amount.
- 2) Check in the amount of \$250.00 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 ELFI Holdings, 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. ELFI Holdings, LLC  
108 Starboard Street  
Forked River, NJ 08731

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS, BLOCK 945.01, LOTS 4, 12, 26 AND 31 (MONTEREY BEACH CLUB)**

**October 13, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 945.01,

Lots 4,12,26 & 31.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee amount.
- 2) Check in the amount of \$500.00 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 Monterey Beach Club, Inc., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Monterey Beach Club, Inc.  
PO Box 288  
Lavallette, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING STABILIZATION GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS, BLOCK 578, LOT 3.01 AND 3.03 (1201 Hooper Avenue)**

**October 13, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as, Block 578, Lot 3.01 & 3.03.

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) Stabilization Bond in the amount of \$9,319.15 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:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Simon Property Group, LP  
1099 RPT P.O. Box 7066  
Indianapolis, IN 46207

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN AND MINOR SUBDIVISION WITH VARIANCES KNOWN AS, CAMELOT AT TOMS RIVER, BLOCK 608, LOTS 2.01 AND 2.02 (Bay Avenue & Hooper Avenue)**

**October 13, 2020**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan & Minor Subdivision with variances known as, Camelot at Toms River, Block 608, Lots 2.01 & 2.02.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # FP0024785 in the amount of \$428,670.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$47,630.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Surety Bond # FP0024786 in the amount of \$12,422.28 which represents the Safety & Stabilization guarantee amount.
- 4) 2 Checks totaling the amount of \$38,541.37 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by K-Land Corp # 7, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. K-Land Corp # 7, LLC  
433 River Road  
Highland Park, NJ 08904

**RESOLUTION AUTHORIZING THE RENEWAL  
OF CLUB LIQUOR LICENSES FOR 2020-2021**

**October 13, 2020**

WHEREAS, all of the present Liquor License holders listed below have made application for the renewal of their respective licenses and have paid the necessary fees for such renewals; and

WHEREAS, the submitted application form is complete in all respects; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the applicant has disclosed, and the issuing authority has ascertained and reviewed the source of any additional financing obtained in the previous license term for use in the licensed business; and

WHEREAS, the submitted application is complete in all respects, including submission of the club member list; and

WHEREAS, the officers and directors of the club are qualified according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the club maintains all records required by N.J.A.C. 13:2-8.8 (special events open to non-club members) and N.J.A.C. 13:2-8.12 (true books of account for receipts and disbursements);

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. That Club Liquor Licenses be and are hereby granted to the following applicants all of whom are presently holders of such licenses, for the presently respective licensed premises to wit:

1507-31-027-002  
George P. Vanderveer  
American Legion Post #129  
2025 Church Rd  
Toms River, NJ 08753

2. The licenses referred to in the preceding paragraph hereof shall be executed for and on behalf of this Municipality by the Clerk of the Township, with an effective date of **October 1, 2020**.
3. The Township Clerk shall forthwith report to the Division of Alcoholic Beverage Control of the State of New Jersey, and to the State Division of Taxation, the issuance of each said license as soon as such licenses are issued.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Department of Police
  - b) Chief Financial Officer
  - c) Municipal Attorney
  - d) Licensees, as listed above
  - e) State of New Jersey  
Division of Alcoholic Beverage Control  
140 East Front Street  
CN 087  
Trenton, N.J. 08625-0087
  - f) State Division of Taxation  
ATTN: ABC Licensing Unit  
PO Box 245  
Trenton, NJ 08695

Art Anderson questioned the following resolution.

Township Engineer Chankalian explained the following resolution.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING FINAL CLOSE OUT CHANGE ORDER NO. 1 FOR VARIOUS ADJUSTMENT TO CONTRACT QUANTITIES, WITH R. KREMER & SON MC, LLC, WITH AN INCREASE IN THE CONTRACT PRICE OF \$3,147.75, FOR A TOTAL PROJECT AMOUNT NOT TO EXCEED \$1,001,255.45 ORIGINAL CONTRACT PRICE - \$ 998,107.70 INCREASED CONTRACT PRICE \$1,001,255.45**

**OCTOBER 13, 2020**

**WHEREAS**, resolution of the Township Council dated January 23, 2019, authorized the award of contract to R. Kremer & Son Marine Contractors, LLC, for the Gilford Park Boat Ramp Project, in the total contract price not to exceed \$998,107.70; and

**WHEREAS**, the contractor for this project, R. Kremer & Son Marine Contractors, LLC, needs an adjustment to various contract quantities, for an increase in the contract price of \$3,147.75, therefore, increasing the original contract amount of \$998,107.70 to \$1,001,255.45;

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

1. Change Order No. 1 – Final Close out – with an adjustment to various contract quantities, and an increase in the total contract price of \$3,147.75, to wit:

**DESCRIPTION OF CHANGE:**

Increase		
Adjustment to various contract quantities		\$3,147.75
	<b><u>ADDITIONAL</u></b>	<b><u>REDUCTION</u></b>
Total Reduction This C.O.	X	\$33,257.22
Total Extras This C.O.	\$36,404.97	
Total Supplementary This C.O.	X	X
Total This C.O.	\$36,404.97	X
Previous Change Orders	X	X
Total Change Orders to Date	X	X
	<b><u>ADDITIONAL</u></b>	<b><u>REDUCTION</u></b>
Net Change in Contract	X	\$3,147.75
ORIGINAL CONTRACT BID PRICE		\$ 998,107.70
NEW CONTRACT PRICE		\$1,001,255.45

be and the same is hereby ratified and confirmed.

2. Funds in the additional amount of \$3,147.75 are available in Account No. X-04- -238-003.

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) Purchasing Division
- d) Recreation Department
- e) Division of Parks, Buildings and Grounds
- f) R. Kremer & Son Marine Contractors, LLC  
253 Drum Point Road  
Brick, NJ 08723

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for Final Close Out and Change Order #1 – Final, to R. Kremer & Sons Marine Contractors, LLC, for various adjustment to contract quantities, in the additional amount not to exceed \$3,147.75, are available in Account No. X-04- -238-003.



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

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: October 13, 2020

Council Member Rodrick asked to make a motion to table this resolution. With no second, the motion died.

Township Engineer Chankalian explained the pricing.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR THE TOMS RIVER SKATE PARK AT CASTLE PARK, TO DAYSTAR LANDSCAPE CONSTRUCTION CO., LLC, AS THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER, MEETING ALL OF THE BID SPECIFICATIONS FOR THE BASE BID, ALTERNATE 1 AND ALTERNATE 2, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$421,534.00**

**OCTOBER 13, 2020**

**WHEREAS**, bids were invited for the Toms River Skate Park at Castle Park; and

**WHEREAS**, bids were received from the following vendors on September 16, 2020, as follows:

<u>VENDOR:</u>	<u>PRICING:</u>	<u>VENDOR:</u>	<u>PRICING:</u>
Daystar Landscape Construction Co, LLC 920 Beverwyck Rd Parsippany, NJ 07054		Seacoast Construction Inc. 15 Addington Ct East Brunswick, NJ 08816	
Base Bid:	\$359,534.00	Base Bid:	\$566,750.00
Alternate 1:	\$ 24,000.00	Alternate 1:	\$ 60,000.00
Alternate 2:	\$ 38,000.00	Alternate 2:	\$ 19,500.00
<b>Grand Total:</b>	<b>\$421,534.00</b>	<b>Grand Total:</b>	<b>\$646,250.00</b>
Precise Construction Inc 1016 Highway 33 Freehold, NJ 07728		PMY Construction Corp 124 Park Ave Lyndhurst, NJ 07071	
Base Bid:	\$487,002.00	Base Bid:	\$617,722.85
Alternate 1:	\$ 22,200.00	Alternate 1:	\$ 21,000.00
Alternate 2:	\$ 28,000.00	Alternate 2:	\$ 69,677.00
<b>Grand Total:</b>	<b>\$537,202.00</b>	<b>Grand Total:</b>	<b>\$708,399.85</b>
V & K Construction, Inc 37 Bartha Ave Edison, NJ 08817		Hardcore Skateparks 285 N. Benson Ave Upland, CA 91786	
Base Bid:	\$493,319.00	Base Bid:	\$776,486.61
Alternate 1:	\$ 20,100.00	Alternate 1:	\$ 90,000.00
Alternate 2:	\$ 61,000.00	Alternate 2:	\$ 10,000.00
<b>Grand Total:</b>	<b>\$574,419.00</b>	<b>Grand Total:</b>	<b>\$876,486.61</b>

**WHEREAS**, the bids have been reviewed by the Purchasing Division and the Engineering Division, and they have recommended that a contract be awarded to Daystar Landscape Construction Co., LLC, as the lowest responsive, responsible bidder, meeting all of the bid specifications for the base bid, Alternate 1 and Alternate 2, for a total contract price not to exceed \$421,534.00;

**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 for the Toms River Skate Park at Castle Park to Daystar Landscape Construction Co., LLC, as the lowest responsive, responsible bidder, meeting all of the bid specifications for the base bid, Alternate 1 and Alternate 2, for a total contract price not to exceed \$421,534.00. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. Funds in the total contract price not to exceed \$421,534.00 are available in the following accounts:

Account No. X-04- -249-003	\$300,000.00
Account No. X-04- -230-001	\$121,534.00

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) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Engineering Department
- e) Recreation Department
- f) Division of Parks, Buildings and Grounds
- g) Daystar Landscape Construction Co., LLC  
920 Beverwyck Road  
Parsippany, NJ 07054

## **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract awarded to Daystar Landscape Construction Co., LLC, in the total contract price not to exceed \$421,534.00, are available in the following accounts:

Account No. X-04- -249-003	\$300,000.00
Account No. X-04- -230-001	\$121,534.00

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 accounts at that time.

ALEXANDER DAVIDSON  
CHIEF FINANCIAL OFFICER

Dated: October 13, 2020

Art Anderson questioned the following resolution.

Township Engineer Chankalian explained the pricing.

A motion was made by Council Member Huryk, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and

Council President Maruca voting yes, and with Council Member Rodrick voting no, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO GRANTURK EQUIPMENT CO. INC., AS SOLE BIDDER MEETING ALL THE BID SPECIFICATIONS, FOR THE PURCHASE OF ONE (1) ADDITIONAL REAR-LOADING REFUSE COLLECTION BODY WITH CAB AND CHASSIS, FOR THE DEPARTMENT OF PUBLIC WORKS, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$210,730.00**

**OCTOBER 13, 2020**

**WHEREAS**, bids were invited on February 26, 2020 for the Purchase of One (1) Front Load Collection Truck, Cab and Chassis with the option to purchase one (1) additional unit over the next twelve months for the Department of Public Works; and

**WHEREAS**, on March 10, 2020, the Township Council awarded a contract to Granturk Equipment Co. Inc. for the purchase of One (1) Rear-Loading Refuse Collection Body with Cab and Chassis, for the Department of Public Works, in the amount of \$210,730.00 less Trade-Ins of \$20,000.00, plus Optional Cart Tippers in the amount of \$15,856.00, for a total contract award of \$206,586.00;

**WHEREAS**, it is the recommendation of the Purchasing Division and the Department of Public Works to award a contract for one (1) Additional Rear-Loading Refuse Collection Body with Cab and Chassis for the Department of Public Works, to Granturk Equipment Co. Inc., as the sole bidder meeting all of the bid specifications, as follows:

	Granturk Equipment Co, Inc One Schuylkill Pkwy, Bldg B Bridgeport, PA 19405
	Price Per Each
REAR LOADING REFUSE COLLECTION BODY WITH CAB & CHASSIS NEW AND UNUSED 2020 MODEL 66,000 LB GVW MINIMUM (OR EQUAL)	\$210,730.00
MAKE CAB /CHASSIS BID:	<u>FREIGHTLINER CHASSIS</u>
MODEL BID:	<u>114SD</u>
YEAR BID:	<u>2021</u>
DELIVERY DATE:	<u>180 TO 250 DAYS AFTER RECEIPT OF ORDER</u>
<b>TOTAL CONTRACT AWARD</b>	<u><b>\$210,730.00</b></u>

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

1. It hereby awards a contract for the Purchase of One (1) Additional Rear-Loading Refuse Collection Body with Cab and Chassis for the Department of Public Works, to Granturk Equipment Co. Inc., as the sole bidder meeting all of the bid specifications, for a total contract amount not to exceed \$210,730.00. The award of this contract is subject to all terms and conditions of the bid specifications.

2. Funds in the amount of \$210,730.00 are available in Account No. X-04-46-732-004. 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) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Public Works
- e) Granturk Equipment Co. Inc.  
One Schuylkill Pkwy., Bldg. B  
Bridgeport, PA 19405

**CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for purchase of One (1) Additional Rear-Loading Refuse Collection Body with Cab and Chassis from Granturk Equipment Co. Inc., for a total contract amount not to exceed \$210,730.00, are available in Account No. X-04-46-732-004.

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: October 13, 2020

Council Member Lotano explained the following Resolution and said it is state mandated.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CANCELLING \$1.5 MILLION OF THE \$4 MILLION EMERGENCY APPROPRIATION AND SPECIAL EMERGENCY NOTES PREVIOUSLY AUTHORIZED TO FINANCE THE COUNTY-ORDERED TOWNSHIP-WIDE REVALUATION**

**OCTOBER 13, 2020**

**WHEREAS**, on March 10, 2020, the Township Council adopted Ordinance 4665-20, which authorized, pursuant to N.J.S.A. 40A:4-53b, a \$4 million special emergency appropriation to fund the Township-wide revaluation of real property ordered by the Ocean County Board of Taxation; and

**WHEREAS**, also on March 10, 2020, the Township Council adopted a companion resolution authorizing, pursuant to N.J.S.A. 40A:4-55a, the issuance of \$4 million in special emergency notes to finance the special emergency appropriation for the Township-wide revaluation; and

**WHEREAS**, the Chief Financial Officer has determined that \$1.5 million of the \$4 million special emergency appropriation and authorized special emergency notes can be cancelled, thereby lowering the annual required appropriation over five years by \$300,000 per year, resulting in a significant annualized budgetary savings for the Township:

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

1. The cancellation of \$1.5 million of the \$4 million special emergency appropriation authorized pursuant to Ordinance 4665-20 is hereby authorized.

2. The cancellation of \$1.5 million of the \$4 million in special emergency notes authorized on March 10, 2020, by companion resolution is hereby authorized.

3. The \$1.5 million reserve for revaluation is hereby cancelled against the \$4 million deferred charge, lowering the annual required appropriation over five years by \$300,000 (from \$800,000 to \$500,000 per year).

4. Two certified copies of this resolution shall be filed with the Division of Local Government Services; however, no approval is required from the Division.

5. Certified copies of this resolution shall remain on file in the Office of the Township Clerk and provided to the following parties:

- a. Mayor Maurice B. Hill, Jr.
- b. Business Administrator
- c. Chief Financial Officer
- d. Township Attorney
- e. Tax Assessor
- f. Tax Collector

## REPORTS

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

	2020	2019
Bey Lea Golf Course – September	\$234,119.23	\$151,330.01
Bey Lea Golf Course – YTD through September	\$1,194,757.46	\$1,046,600.50
Winding River Ice Rink – September	\$51,098.00	\$45,282.90
Winding River Ice Rink – YTD through September	\$389,144.50	\$589,875.62
Building Permits - September	\$127,405.00	\$158,745.00
Building Permits – YTD through September	\$1,931,984.00	\$1,886,440.00
Beach Badges – YTD through September	\$590,966.00	\$525,600.00
Pool Badges – YTD through September	\$56,939.00	\$105,940.00

## APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **October 7, 2020** was approved on motion by Council Member Turnbach, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes. The following respective exceptions to their votes were noted as abstentions to this vote:

Councilman Geoghegan abstained due to Business conflicts on the following:

Purchase Order 20-04990, payable to Silverton First Aid Squad, Inc., in the amount of \$36,114.54.

Councilman Rodrick abstained from the whole bills list.

Councilwoman Maruca abstained due to Business conflicts on the following:

Purchase Order 20-05246, payable to Dasti McGuckin, Attorneys at Law in the amount of \$7,498.00.

Purchase Order 20-05089, payable to NJ Motor Vehicle Commission in the amount of \$60.00.

Purchase Order 20-04963, payable to NJ MVC Lease Program in the amount of \$3,719.50.

Purchase Order 20-05150, payable to NJ MVC Lease Program in the amount of \$4,450.50.

Councilwoman Huryk abstained due to Business conflicts on the following:

Purchase Order 20-00569, 20-04537, 20-04561, & 20-04729, payable to Remington & Vernick Engineers in the amount of \$7,381.96.

Purchase Order 20-04477, 20-04653, & 20-04962, payable to Rutgers University in the amount of \$2,765.00.

Purchase Order 20-04963, payable to Recreation Salaries in the amount of \$8,646.81.

Purchase Order 20-04963, payable to Recreation Overtime Wages in the amount of \$132.98.

Purchase Order 20-05150, payable to Recreation Salaries in the amount of \$8,646.82.

Purchase Order 20-05150, payable to Recreation Overtime Wages in the amount of \$45.05.

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 20-04536, 20-05097, 20-05098, & 20-05099, payable to Owen Little & Associates, Inc., in the amount of \$17,801.50.

Purchase Order 20-20-04990, payable to Silverton First Aid Squad, Inc., in the amount of \$36,114.54.

Purchase Order 20-04880, payable to Berkeley Township in the amount of \$383.00.

Councilman Lotano abstained due to Business conflicts on the following:

Purchase Order 20-05036, payable to CME Associates in the amount of \$63.75.

Councilman Turnbach abstained due to Business conflicts on the following:

Purchase Order 20-00485, 20-04877, 20-04898, & 20-05000, payable to Citta, Holzapfel, Zabarsky in the amount of \$9,310.00.

Purchase Order 20-05246, payable to Dasti McGuckin, Attorneys at Law in the amount of \$7,498.00.

Purchase Order 20-04963, payable to Magistrate Salaries in the amount of \$6,549.48.

Purchase Order 20-05150, payable to Magistrate Salaries in the amount of \$6,549.48.

Purchase Oder 20-04445, payable to Scott Basie, Esquire, in Berkeley Township in the amount of \$500.00.

## **ELECTED OFFICIALS COMMENTS**

Township Attorney Fitzsimmons announced any comments regarding Surf Club remediation should not be asked of Council as we are still in mediation.

Mayor Hill announced opening of new fitness center for adults at Veterans Park on North Bay Avenue. Also Skate Park voted on today, so enhancements coming. He also spoke regarding election ballot, his neighbor received a ballot for his daughter who hasn't lived home in 20 years. He fully supports machine voting.

Councilman Kopp thanked the staff for work on efficiency study, and offered his thoughts and prayers for young man who got shot downtown.

Councilwoman Huryk spoke regarding National Family Caregiver Month; Exit 82 Rocky Horror Experience being put on, an adult show with social distancing on October 30, and 31<sup>st</sup>. Tickets at Exit 82 website.

Councilman Lotano mentioned app is available to go along with adult exercise park to guide you through. Scarecrow competition along Washington and Main Street.

Councilman Rodrick spoke regarding Land Development comments against Resolution 8.

Councilman Geoghegan spoke regarding “Vest-a-Cop” fundraiser; Fitness Center opening with app included – he was able to navigate it without problem; Oceans of Love Billboard Fundraiser coming soon, and thanks to the Township employees efforts who saved Township money on the upcoming revaluation.

Councilman Turnbach also offered his thoughts and prayers to the family of the son who got shot downtown; time for township, police department, and owners of apartment complexes to join forces with a surveillance system. Today Toms River Education Foundation submitted 5K paperwork for its first fundraiser.

Council President Maruca announced COVID is a burden on kids the most. Also Ocean County Columbus Day Parade is cancelled this year; instead Berkeley Township and Brick Township will be raising Italian flag in front of their buildings to honor the Italian heritage.

Council President Maruca asked Township Planning Roberts to explain Resolution 8, no concept yet, potentially more parking since we are tight now. Testing ground to see how many garage levels the ground could support.

## **PUBLIC COMMENTS**

Council President Maruca announced the public portion and asked if any one wished to speak at this time. Craig Ambrosio, Parks, Buildings & Grounds, says it is with the courts, it has been a back and forth situation for many years.

Tina Schneider, 18 Pine Tree Road, having an issue with commercial parking and running business out of home.

Evan Schneider, 18 Pine Tree Road, mentioned the way the township officials treated them is unacceptable – says Mr. Ambrosio screamed at his wife. He claims its favoritism.

Marvin Ledbeater spoke regarding Surf Club; Council President Maruca explained they can't comment. Township Attorney Fitzsimmons explained township is in mediation so it will have to be discussed at a later date. He was also asked about Resolution 8 and he assured Marvin it will first have to come before the public.

Art Anderson, 12 Park Street, spoke on low income tax credits.

No further comments from the public appearing, a motion was made by Council Member Geoghegan, seconded by Council Member Turnbach, and carried to enter into a private Executive Session at 7:00 p.m.

A motion was made by Council Member Geoghegan, seconded by Council Member Huryk, 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  
Land Acquisitions

3. The following specific topics were announced.
  1. Executive Session Minutes: September 22, 2020 Regular Meeting
  2. Personnel Issues
  3. Review of status of all real property acquisitions. (voluntary acquisitions and eminent domain actions)
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 7:18 P.M., a motion was made by Council Member Huryk, seconded by Council Member Turnbach and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes.

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

#### **RESOLUTION 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:

#### **September 22, 2020 Regular Meeting**

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

No other business appearing, the meeting was **adjourned** at 7:19 P. M., on motion with Council Member Huryk, seconded by Council Member Geoghegan, and carried



with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and Councilman Rodrick abstaining.

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MARIA L. MARUCA, COUNCIL PRESIDENT

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ALISON CARLISLE, TOWNSHIP CLERK