

October 27, 2020

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

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

A moment of silence for held for Manuel Hirshblond, former Toms River Municipal Clerk, who passed away recently.

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 Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and with Council President Maruca voting yes, to approve the **Regular Meeting of October 13, 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.

Grant Los, Michael Liotti and Daniel Schaeffer, Eagle Scouts, were not present but proclamations will be sent to their Eagle Center of Honor on November 8th at the Elks Club.

Council President Hill presented Township Attorney Fitzsimmons with a special retirement clock.

Council President Hill spoke regarding National Domestic Violence Awareness Month.

Township of Toms River

Resolution

“Day of Unity”

National Coalition Against Domestic Violence

October 27, 2020

WHEREAS, beginning in October 1981, the National Coalition Against Domestic Violence held the “Day of Unity” with the intent to connect advocates across the nation who are working to end violence against women and their children; and

WHEREAS, activities conducted at the local, state and national level evolved from the Day of Unity with common themes including mourning those who have died because of domestic violence; and

WHEREAS, domestic victimization is correlated with a higher rate of depression and suicidal behavior; and

WHEREAS, according to a CDC survey, 20 Americans experience intimate partner physical violence every minute. That totals around 10 million domestic violence victims per year; and

WHEREAS, 1 in 3 women, 1 in 4 men and 1 in 15 children have been victims of some form of physical violence within their lifetime; and

WHEREAS, women between the ages of 18-24 are most commonly abused by an intimate partner; and

WHEREAS, every day, 3 women lose their lives in this country as a result of domestic violence; and

WHEREAS, there are over 20,000 domestic violence calls per day and only 34% of people who are injured by intimate partners receive medical care for their injuries; and

WHEREAS, with the global increase in domestic violence cases during the COVID-19 pandemic, awareness and action are urgently needed.

NOW, THEREFORE, BE IT RESOLVED that The Township Council of the Township of Toms River proclaims October 2020 as National Domestic Violence Awareness Month to increase awareness of the dangers and issues associated with domestic violence.

Mayor Maurice B. Hill, Jr.

Maria Maruca
Council President

Kevin M. Geoghegan

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Daniel T. Rodrick

Terrance L. Turnbach

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-62 (SCHEDULE IV: TIME LIMIT PARKING) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE, REPEALING THE ONE (1) HOUR TIME LIMIT PARKING PROHIBITION ON BOTH SIDES OF ROUTE 35 NORTHBOUND, AT ALL TIMES, BETWEEN HARDING AVENUE AND FIRST AVENUE

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

1. The following provision in Section 477-62 (Schedule IV: Time Limit Parking) of Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River is repealed:

NAME OF STREET:	Route 35 Northbound
SIDES:	Both
TIME LIMIT:	1 hour
LOCATION:	Between Harding Avenue and First Avenue

2. If any part or parts of this ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance

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

4. All other parts of Chapter 477 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

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

6. This ordinance is subject to the receipt by the New Jersey Department of Transportation of the duly executed certification by the Toms River Township Engineer as required by law.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on October 27, 2020 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on November 10, 2020 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE
TOWNSHIP CLERK

APPROVED AS TO FORM:
KENNETH B. FITZSIMMONS

TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, October 30, 2020.

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

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

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, VACATING A PORTION OF
AN UNIMPROVED STREET KNOWN AS EVANS AVENUE, BY THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY**

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

1. Descriptions for a portion of an unimproved street known as Evans Avenue, to be vacated by the Township of Toms River, in the County of Ocean, and State of New Jersey consisting of the following parcels:

Proposed Right-of-Way Vacation/Dedication
Portion of Evans Avenue
Dedicated to: Block 37, Lot 1 – See SCHEDULE “A”

Proposed Right-of-Way Vacation/Dedication
Portion of Evans Avenue
Dedicated to: Block 128, Lot 1 – See SCHEDULE “B”

Proposed Right-of-Way Vacation/Dedication
Portion of Evans Avenue
Dedicated to: Proposed Block 131, Lot 1.01 – See SCHEDULE “C”

Proposed Right-of-Way Vacation/Dedication
Portion of Evans Avenue
Dedicated to: Block 37, Lot 289 – See SCHEDULE “D”

Roadway Vacation Exhibit – See SCHEDULE “E”

Schedules “A through “E”, are attached to this ordinance, and made a part hereof.

2. The vacation of all the right, title and interest of the public in the above described property is subject to the retention of all rights and privileges possessed by public utilities as defined in N.J.S.A. 48:2-13, by any cable company as defined in N.J.S.A 48:5A-3, and by the Township of Toms River with respect to drainage, water, sewer, or other public facilities, including the right of all of such entities to maintain, repair, and replace existing and future facilities, in, adjacent to, over and under such street, highway, lane, alley, square, place, or park, or any portion thereof, which is expressly reserved and excepted from vacation provided by this Ordinance.

3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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

5. Since this ordinance is not legislative in nature, it need not be codified in the Code of the Township of Toms River.

6. A copy of this executed ordinance shall be recorded by the Township Clerk in the Ocean County Clerk's Office, pursuant to N.J.S.A. 40:67-21.

7. At least one week prior to the time and date fixed for final passage of this ordinance, a copy of this ordinance shall be mailed to all property owners abutting the area proposed to be vacated by the Township, pursuant to N.J.S.A. 40:49-6.

SCHEDULE "A thru E"

"SEE ATTACHMENTS"

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on October 27, 2020 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on November 10, 2020 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE
TOWNSHIP CLERK

APPROVED AS TO FORM:
KENNETH B. FITZSIMMONS
TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, October 30, 2020.

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

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 Kopp, 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, and P**, 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 192.52 LOT 29**

EFFECTIVE JUNE 24TH 2020, AND PROVIDING THAT PROPERTY TAXES FOR 2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

OCTOBER 27, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 192.52 LOT 29, located at 1490 Forelle Lane, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective June 24th 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 192.52 Lot 29 due on or after June 24th, 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 192.52 lot 29, if any, shall be refunded on a pro-rated basis from June 24th, 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 27, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) WERE IN TAX SALE AND PAID COST OF ADVERTISING FEES, HOWEVER THEY OVERPAID AND THEY PAY NO TAXES, ONLY SEWER BILLS SO MONIES COULD NOT BE APPLIED TO THEIR TAXES AND NOW MONIES MUST BE REFUNDED, 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>
CHURCH OF GOD	405	57	2020/2	\$50.00
DREAMSCAPES – BUILDING VISIONS	1093.04	4	2016/3	50.00
TOTALS:				\$100.00

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 27, 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>
OCEAN BAY DEVELOPERS LLC	1095.02	29	2020/4	\$1,241.32
RAPHA INC	248	15	2020/3	1,252.55
ST. BARBANAS REALTY DEVELOPMENT CORP.	535.04	801	2020/3	8,121.54

TOTALS:				\$10,615.41

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 27, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) , HAD DUPLICATE TAX PAYMENTS APPLIED, 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>
ORCHARD STREET STTLMNTS LLC	169	22.02	2020/3	\$3,173.28
ORCHARD STREET STTLMNTS LLC	192.36	4	2020/3	1,015.66
ORCHARD STREET STTLMNTS LLC	510.15	8	20202/3	1,327.91
TOTALS:				\$5,516.854

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 OCEAN COUNTY BOARD OF HEALTH, MUNICIPAL ALLIANCE
ADDITIONAL GRANT**

October 27, 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 Board of Health, Municipal Alliance Grant 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 \$2,344.39 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:

Ocean County Board of Health, Municipal Alliance Additional Grant.....\$2,344.39

pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$2,344.39 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

Ocean County Board of Health, Municipal Alliance Additional Grant.....\$2,344.39

Budget Appropriations for Local Match available in Matching Funds For Grants:

Municipal Alliance Additional Grant-Local Match.....\$586.10

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
- D) Health and Human Services Department

Approved as to Content:

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE POLICE DEPARTMENT TO
DISPOSE OF ONE (1) SHARP DIGITAL IMAGER COPIER WHICH IS NO LONGER
NEEDED FOR PUBLIC USE AND NOT USABLE BY THE TOWNSHIP OR SUITABLE FOR
AUCTION, AND SHOULD BE DISPOSED OF BY RECYCLING WITH THE TOWNSHIP'S
ELECTRONICS, PURSUANT TO N.J.S.A. 40A:11-36**

OCTOBER 27, 2020

WHEREAS, the Police Department is requesting authorization to dispose of One (1) Sharp Digital Imager Copier which is no longer needed for public use, not usable by the Township or suitable for auction and should be disposed of by recycling with the Township's electronics; and

WHEREAS, the equipment to be disposed of is as follows:

Sharp Digital Imager – Police Department

Model #: MX-M700N
Serial #: 9500532X
Fixed Asset: 5610

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 Police Department to dispose of One (1) Sharp Digital Imager Copier which is no longer needed for public use, not usable by the Township or suitable for auction and should be disposed of by recycling with the Township's electronics.

2. The item to be disposed of is as follows:

Sharp Digital Imager – Police Department

Model #: MX-M700N
Serial #: 9500532X
Fixed Asset: 5610

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) Township Attorney
- c) Chief Financial Officer
- d) Records
- e) IT Department
- f) Police Department

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF TWENTY-FIVE
(25) UV-C ROOM AIR PURIFIERS FOR THE OFFICE OF EMERGENCY MANAGEMENT,
FROM ZOOLING IMPORTS LLC D/B/A ZLEDLIGHTING, IN THE AMOUNT OF \$855.00
PER UNIT, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$21,375.00**

OCTOBER 27, 2020

WHEREAS, the Purchasing Division has requested the Township to authorize the Purchase of Twenty-Five (25) UV-C Room Air Purifiers for the Office of Emergency Management; and

WHEREAS, Zooling Imports LLC D/B/A ZLEDLighting has completed and submitted a Business Entity Disclosure Certification and Political Contribution

Disclosure Form, which certifies that the company has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which are on file in the Municipal Clerk's Office; and

WHEREAS, the Township Council of the Township of Toms River has determined that it is the best interest of the Township of Toms River to authorize this 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 authorizes the Purchase of Twenty-Five (25) UV-C Room Air Purifiers for the Office of Emergency Management from Zooling Imports LLC D/B/A ZLEDLighting, 1536 North Kings Highway, Cherry Hill, NJ, 08034. The price for this purchase is \$855.00 per unit, for a total contract amount not to exceed \$21,375.00.

2. Funds for this purchase are available in Account No. X-19- -600-140. 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) Division of Purchasing
- b) Chief Financial Officer
- c) Township Attorney
- d) Office of Emergency Management
- e) Zooling Imports LLC D/B/A ZLEDLighting
1536 North Kings Highway
Cherry Hill, NJ 08034

CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of Twenty-Five (25) UV-C Room Air Purifiers for the Office of Emergency Management from Zooling Imports LLC D/B/A ZLEDLighting at \$855.00 per unit, in the total contract amount not to exceed \$21,375.00, are available in Account No. X-19- -600-140.

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 27, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF A THREE (3) YEAR PROPRIETARY SOFTWARE LICENSING/MAINTENANCE AGREEMENT FOR GIS, WITH ESRI CORP., INC., IN THE AMOUNT NOT TO EXCEED \$165,000.00 OVER THREE (3) YEARS, (\$55,000.00 PER YEAR)

OCTOBER 27, 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. Pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(dd), (the support or maintenance of proprietary software and hardware exception to public bidding), it hereby awards a contract to Esri Corp., Inc., for the Purchase of

Proprietary Software Licensing/Maintenance Agreement for GIS, for three (3) years, in the total maximum amount not to exceed \$165,000.00 (\$55,000.00 per year).

2. The support or maintenance of proprietary software is authorized pursuant to N.J.S.A. 40A:11-5(1)(dd).

Item 168179 Populations of 50,001 to 100,000 Small Government -
Year 1 \$55,000.00
Item 168179 Populations of 50,001 to 100,000 Small Government -
Year 2 \$55,000.00
Item 168179 Populations of 50,001 to 100,000 Small Government -
Year 3 \$55,000.00

Contract Awarded to: Esri Corp., Inc.
Attn: Charlotte Jordan
380 New York Street
Redlands, CA 92373-8100

Maximum Amount: \$165,000.00
(\$ 55,000.00 Per Year)

Account No.: Funds for Year One are available in
Account No. 0-01- -A17-510, with
the remaining funds being encumbered
upon approval of upcoming municipal
budgets.

3. Term of Contract: Shall Commence from Date of Award through three (3) consecutive years.

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) IT Department
- e) Esri Corp., Inc.
Attn: Charlotte Jordan
380 New York Street
Redlands, CA 92373-8100

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Esri Corp., Inc., in the amount not to exceed \$165,000.00 over three years (\$55,000.00 per year), are available in Account No. 0-01- -A17-510 - \$55,000.00 for Year One, with the remaining funds being encumbered upon approval of upcoming municipal budgets.

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 27, 2020

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF OPEN-ENDED
CONTRACTS TO PETROLEUM TRADERS CORP. AND RIGGINS, INC., FOR THE SUPPLY
AND DELIVERY OF GASOLINE FUEL, UTILIZING STAFFORD TOWNSHIP
COOPERATIVE PRICING SYSTEM BID NO. 33-OCCPS-2020-005, FOR A TWO (2)
YEAR PERIOD RETROACTIVE TO OCTOBER 19, 2020 THROUGH OCTOBER 18, 2022**

OCTOBER 27, 2020

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

WHEREAS, pursuant to bids received and the Master Contract awarded by the Township of Stafford as Lead Agency for the Stafford Township Cooperative Pricing System Bid, a contract was awarded by Stafford Township as the Lead Agency of the Stafford Township Cooperative Pricing System, (I.D. #33-OCCPS-2020-005), of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, the Division of Purchasing is requesting authorization to utilize Stafford Township Cooperative Pricing System Bid #33-OCCPS-2020-005 for the Supply and Delivery of Gasoline Fuel, as follows:

Petroleum Traders Corp. 7120 Pointe Inverness Way Fort Wayne, IN 46804		Riggins Inc. 3938 S. Main Road Vineland, NJ 08360	
Category #1	Regular Grade Gasoline (87% minimum rating)	\$0.1545	Riggins, Inc.
Category #2	Mid-Grade Gasoline (89% minimum rating)	\$0.1325	Petroleum Traders Corp.
Category #3	Super-Grade Gasoline (92% minimum rating)	\$0.2045	Riggins, Inc.

WHEREAS, bids were awarded according to the firm fixed-margin markup delivery charge per gallon; and

WHEREAS, the above contracts were awarded to Petroleum Traders Corp. for Category #2, and Riggins, Inc. for Category #1 and Category #3. The term of these contracts is retroactive to October 19, 2020 through October 18, 2022;

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

1. It hereby authorizes award of open-ended contracts for the Supply and Delivery of Gasoline Fuel for the Township of Toms River as a participating contracting unit of the Stafford Township Cooperative Pricing System, Contract I.D. #33-OCCPS-2020-005, over two (2) years, as follows:

Petroleum Traders Corp. 7120 Pointe Inverness Way Fort Wayne, IN 46804		Riggins Inc. 3938 S. Main Road Vineland, NJ 08360	
Category #1	Regular Grade Gasoline (87% minimum rating)	\$0.1545	Riggins, Inc.
Category #2	Mid-Grade Gasoline (89% minimum rating)	\$0.1325	Petroleum Traders Corp.
Category #3	Super-Grade Gasoline (92% minimum rating)	\$0.2045	Riggins, Inc.

2. The term of this contract shall commence retroactive to October 19, 2020 through October 18, 2022. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon availability in the applicable municipal budget. The award of these contracts are subject to all terms and conditions of the bid specifications and the Master Contract as awarded by the Township of Stafford as Lead Agency.

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) Public Works Department
- e) Division of Parks, Buildings & Grounds
- f) Recreation Department
- g) Township of Stafford
260 East Bay Avenue
Manahawkin, N.J. 08050
Attn: Purchasing Agent
- h) Petroleum Traders Corp.
7120 Pointe Inverness Way
Fort Wayne, IN 46804
- i) Riggins Inc.
3938 S. Main Road
Vineland, NJ 08360

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contracts awarded to Petroleum Traders Corp. and Riggins Inc. for the Supply and Delivery of Gasoline Fuel, are open-ended contracts with funds being encumbered at the time each order is placed, contingent upon the availability of funds in the appropriate municipal budget year.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: October 27, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR LOCKSMITH SERVICES, FOR TWO (2) YEARS, TO TOP SECURITY LOCKSMITHS INC., AS THE LOWEST OVERALL RESPONSIBLE BIDDER MEETING ALL THE BID SPECIFICATIONS

OCTOBER 27, 2020

WHEREAS, bids were received on September 30, 2020 for Locksmith Services; and

WHEREAS, bids were received, as follows:
Firstline Locksmith LLC
2277 Highway 33, Ste. 406
Hamilton, NJ 08690

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>
1	Price for Cutting Keys from Existing Key, One Sided, Automobile Type:	\$ 5.00
2	Price for Cutting Keys from Existing Key, Two Sided, Automobile Type:	\$ 10.00
3	Price for Cutting Keys, Special Key Way:	\$ 12.00-\$25.00

4	Price for Cutting Keys, Tube Way or Ace Type:	\$ 15.00
5	Price for Cutting Keys by Code Number, Auto: . .	\$ 39.00
6	Price for Cutting Keys by Code Number, Padlock:	\$ 39.00
7	Labor, Per Hour, Locksmith Services – General: . (i.e. Changing Locks. Frames and hardware, etc.) 1st. Hour	\$ 95.00
8	Labor, Per Hour, for Each Additional Hour:	\$ 95.00
9	Labor After Regular Hours:	\$ 125.00
10	Re-keying Locks per Cylinder including 1st. key:	\$ 45.00
11	Change Safe Combination:	\$ 125.00
12	Open Safe Minimum:	\$ 250.00
13	Service call for Jail Cell:	\$ 175.00
14	Other Locksmith Materials, Bidders Cost: Plus Percentage of Mark-up	40.00%

*Auto keys do not include programming

Top Security Locksmiths Inc.
2319 Bridge Avenue
Pt. Pleasant, NJ 08742

<u>Item No.</u>	<u>Description</u>	<u>Unit Price</u>
1	Price for Cutting Keys from Existing Key, One Sided, Automobile Type:	\$ 2.25
2	Price for Cutting Keys from Existing Key, Two Sided, Automobile Type:	\$ 4.75
3	Price for Cutting Keys, Special Key Way:	\$ 5.75
4	Price for Cutting Keys, Tube Way or Ace Type:	\$ 7.50
5	Price for Cutting Keys by Code Number, Auto: . .	\$ 25.00
6	Price for Cutting Keys by Code Number, Padlock:	\$ 12.50
7	Labor, Per Hour, Locksmith Services – General: . (i.e. Changing Locks. Frames and hardware, etc.) 1st. Hour	\$146.00
8	Labor, Per Hour, for Each Additional Hour:	\$146.00
9	Labor After Regular Hours:	\$219.00
10	Re-keying Locks per Cylinder including	

	1st. key:	\$ 25.00
11	Change Safe Combination:	\$ 35.00
12	Open Safe Minimum:	\$125.00
13	Service call for Jail Cell:	\$ 80.00
14	Other Locksmith Materials, Bidders Cost: Plus Percentage of Mark-up	40.00%

WHEREAS, the bids have been reviewed by the Purchasing Division and the Department of Parks, Buildings and Grounds, and they have recommended that the award of contract be made to Top Security Locksmiths Inc., at the Unit Prices listed above; commencing retroactive to October 9, 2020 through October 8, 2022;

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

1. It hereby awards the contract for Locksmith Services to Top Security Locksmiths Inc., as the lowest overall responsible bidder meeting all the bid specifications, at the Unit Prices listed above, over two years, commencing retroactive to October 9, 2020 through October 8, 2022. This will be an open-ended contract with funds being encumbered each time an order 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. This contract is subject to all terms and conditions of the bid specifications.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Parks, Buildings & Grounds
- e) Aforementioned bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Top Security Locksmiths Inc., over two (2) years, are contingent upon the availability of funds in the appropriate municipal budget year.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: October 27, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND CORRECTING THE RESOLUTION OF OCTOBER 13, 2020, WHICH AUTHORIZED THE PURCHASE OF ONE (1) FRONT LOAD COLLECTION TRUCK, CAB AND CHASSIS FOR THE DEPARTMENT OF PUBLIC WORKS, WHICH SHOULD HAVE READ AUTHORIZING THE PURCHASE OF ONE (1) ADDITIONAL REAR-LOADING REFUSE COLLECTION BODY WITH CAB AND CHASSIS FOR THE

**DEPARTMENT OF PUBLIC WORKS FROM GRANTURK EQUIPMENT CO., INC.,
IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$210,730.00**

OCTOBER 27, 2020

WHEREAS, on October 13, 2020, the Township Council awarded a contract to Granturk Equipment Co. Inc. for the purchase of One (1) Front Load Collection Truck, 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, with the option to purchase up to one(1) additional unit over the next twelve (12) months, based upon the availability of funds in the appropriate municipal budget;

WHEREAS, the resolution of October 13, 2020, is hereby corrected to read that 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, in the total amount of \$210,730.00.

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 corrects the resolution of October 13, 2020 to award 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

**AMENDED
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 27, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE RETENTION OF VETCOR OF TOMS RIVER, LLC T/A CALLING ALL CREATURES VETERINARY HOSPITAL, FOR NON-EMERGENCY POOL VETERINARY SERVICES, RETROACTIVE TO JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, IN THE AMOUNT OF \$9,000.00, WITH FUNDS BEING AVAILABLE IN ACCOUNT NO. 0-01- -P45-534, (POLICE DEPARTMENT), WHICH WAS IN ACCORDANCE WITH BID SPECIFICATIONS AND REQUESTS FOR PROPOSALS RECEIVED ON DECEMBER 3, 2019, AND AUTHORIZING AN ADDITIONAL AMOUNT REQUESTED BY THE POLICE DEPARTMENT IN THE AMOUNT OF \$6,000.00, FOR THE REMAINDER OF CY 2020, FOR A TOTAL MAXIMUM AMOUNT FOR VETCOR NOT TO EXCEED \$15,000.00 FOR CY 2020 (FUNDS BEING AVAILABLE IN ACCOUNT NO. 0-01- -P45-534)

OCTOBER 27, 2020

WHEREAS, the Township prepared bid specifications and advertised for receipt of proposals for Pool Non-Emergency Veterinarian Services for 2020, with a submission date of December 3, 2019; and

WHEREAS, the Bid Specifications and Request for Proposals included funds in the amount of \$9,000.00 to be available in Account No. 0-01- -P45-534 (Police Department); and

WHEREAS, a proposal was received from Vetcor of Toms River, LLC t/a Calling All Creatures Veterinary Hospital for non-emergency pool veterinary services; and

WHEREAS, due to an oversight, Account No. 0-01- -P45-534 in the amount of \$9,000.00 (Police Department), was inadvertently omitted from the resolution of May 12, 2020; and

WHEREAS, the total maximum amount of the award to Vetcor of Toms River, LLC t/a Calling All Creatures Veterinary Hospital for CY20, should have read \$57,000.00 (\$40,000.00 – Acct. # 0-13- -911-011, \$8,000.00 – Acct. #0-13- -911-002, and \$9,000.00 – Acct. #. 0-01- -P45-534); and

WHEREAS, a request has been made by the Police Department to amend the amount allocated to Vetcor of Toms River, by an additional \$6,000.00 for the remainder of CY2020, to be available in Account No. 0-01- -P45-534 retroactive to January 1, 2020 through December 31, 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. It hereby authorizes the payment to Vetcor of Toms River, LLC d/b/a Calling All Creatures Veterinary Hospital, as pool nonemergency veterinarians retroactive to January 1, 2020 through December 31, 2020, in the amount of \$9,000.00, with funds being available in Account No. 0-01- -P45-534, in accordance with bid specifications and Requests for Proposals dated December 3, 2019.

2. It hereby authorizes an additional amount of \$6,000.00, for the remainder of CY2020, which has been requested by the Police Department, with funds being available in Account No. 0-01- -P45-534 through December 31, 2020.

3. Fully executed purchase orders shall serve as contract documentation between the parties.

4. All remaining provisions of the omnibus resolution dated May 12, 2020, not amended, modified or otherwise affected by this resolution, shall remain in full force and effect.

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

6. 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) Business Administrator
- c) Township Attorney
- d) Purchasing Division
- e) Director, Health and Human Services
- f) Chief, Police Department
- g) Animal Control
- h) Vetcor of Toms River, L.L.C., d/b/a Calling All Creatures Veterinary Hospital,
246 Washington Street
Toms River, New Jersey 08753

CERTIFICATION

THIS IS TO CERTIFY that the funds for the resolution for the allocation of funds to Vetcor of Toms River, LLC t/a Calling All Creatures Veterinary Hospital, in the amount of \$15,000.00 for CY2020, are available in Account No. 0-01- -P45-534. (\$9,000 from the Requests for Proposals and Bid Specifications of December 3, 2019, and the additional \$6,000.00 for the remainder of CY2020, requested by the Police Department).

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 27, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, REMOVING A PROPERTY MAINTENANCE LIEN WHICH WAS PLACED ON BLOCK 1502.01, LOT 16, 1036 BAY AVENUE TOMS RIVER, NJ, BY RESOLUTION DATED JULY 23, 2019, IN THE AMOUNT OF \$582.50, AND AUTHORIZING THE TOWNSHIP TAX COLLECTOR TO REMOVE THE LIEN FROM THE TOWNSHIP RECORDS

OCTOBER 27, 2020

WHEREAS, the Township of Toms River adopted the 2006 International Property Maintenance Code as part of Chapter 335 (Housing and Rental Property Standards) of the Township Code; and

WHEREAS, Section 111 of the Township Code provides that costs incurred by the Township in remediating conditions on properties in violation of the Code are to be assessed and levied upon lands, and bear interest at the same rate as real property

taxes, and be collected and enforced in the same manner as provided for the collection of real property taxes; and

WHEREAS, a resolution of the Township Council dated July 23, 2019, imposed charges incurred under Section 111 of the 2006 International Property Maintenance Code as a lien against Block 1502.01, Lot 16, 1036 Bay Avenue, Toms River, NJ, in the amount of \$582.50 for property maintenance; and

WHEREAS, it has come to the Township's attention that the lien was erroneously placed on this property;

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 removes the lien placed on Block 1502.01, Lot 16, 1036 Bay Avenue, Toms River, NJ, for property maintenance, in the amount of \$582.50.
2. It hereby authorizes and directs the Township Tax Collector to remove the lien erroneously placed on Block 1502.01, Lot 16, 1036 Bay Avenue, for property maintenance, in the amount of \$582.50.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Maurice B. Hill, Jr.
 - b) Business Administrator
 - c) Chief Financial Officer
 - d) Tax Collector
 - e) Tax Assessor
 - f) Township Attorney
 - g) Craig Ambrosio, Parks, Buildings & Grounds
 - h) Tracy Lasky, Bey Lea Maintenance/Public Lands
 - i) M&M Mortgage Services
12901 SW 132 Avenue
Miami, Florida 33146

RESOLUTION

October 27, 2020

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

MASSAGE BUSINESS

06-20	K&M Acu Inc. 213 Route 37 Suite 9 Toms River, NJ 08753
08-20	Massage Envy 2 Hwy 37 Toms River, NJ 08753
10-20	Orient Spa 1740 Lakewood Rd Toms River, NJ 08753
12-20	Harmony Massage 708 Fischer Blvd Toms River, NJ 08753
13-20	New Aroma Spa 1545 Route 9 Toms River, NJ 08755

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

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

WHEREAS, the appropriate licensing fee has been paid To the Township of Toms River;

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

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

RESOLUTION AUTHORIZING THE SALE OF ABANDONED AND/OR UNCLAIMED MOTOR VEHICLES PURSUANT TO N.J.S.A. 39:10A-1 ET SEQ.

OCTOBER 27, 2020

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

1. It hereby authorizes the sale at public auction of the following abandoned and/or unclaimed motor vehicles pursuant to the provisions of N.J.S.A. 39:10A-1 et seq., on Wednesday, November 4, 2020 at 11:00 a.m at Priced-Rite Towing and at 12 noon at Freedom Towing:

Vehicles for Auction with Titles:

Request to hold abandoned vehicle auctions on November 4, 2020 at the following locations and times:

Priced-Rite Towing, 24 Germania Station Rd., Toms River, NJ at 11:00 a.m.

YEAR	MAKE	VIN#
2007	HONDA	1HGCM56137A220415
2006	HYUNDAI	5NPEU46F26H006701

Freedom Towing, 1725 Lakewood Road, Unit 1, Toms River, NJ at 12 noon

YEAR	MAKE	VIN#
2002	GMC	1GKDT13S822433542
2009	CHEVY	1GNFK213009R268204

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

- a) Attorney
- b) Chief of Police Mitch Little
- c) Safety Officer Schwartz
- d) Chief Financial Officer
- e) Priced-Rite Towing
24 Germania Station Road
Toms River, NJ 08755
- f) Freedom Towing

1725 Lakewood Road, Unit 1,
Toms River, NJ

**LEGAL NOTICE
TOWNSHIP OF TOMS RIVER
PUBLIC SALE**

TAKE NOTICE that the undersigned shall expose for sale in accordance with R.S. 39:10A-1, at public auction on **Wednesday, November 4, 2020 at 11 a.m. at Price Rite Towing and Wednesday, November 4, 2020 at 12 noon at Freedom Towing**, the below described motor vehicle(s) which came into the possession of the Township of Toms River Police Department through abandonment or failure to claim same within 30 days. The public auction will take place at the above indicated date, time and location(s). The motor vehicle(s) may be examined at the indicated location(s) Monday through Friday, 9:00 a.m. to 5:00 p.m.

All vehicle(s) listed have clear title. Failure to inspect said vehicle(s) will not be considered as cause for any claim for adjustment whatsoever. **ALL SALES WILL BE FINAL.** Cash or check will be required at the time of the sale when the sale is completed. Vehicle(s) must be removed from the premises at the purchaser's expense within 48 hours of sale date. Opening bids start at tow expense.

Vehicles For Auction with Titles:

Priced-Rite Towing, 24 Germania Station Rd., Toms River, NJ at 11:00 a.m.

YEAR	MAKE	VIN#
2007	HONDA	1HGCM56137A220415
2006	HYUNDAI	5NPEU46F26H006701

Freedom Towing, 1725 Lakewood Road, Unit 1, Toms River, NJ at 12 noon

YEAR	MAKE	VIN#
2002	GMC	1GKDT13S822433542
2009	CHEVY	1GNFK213009R268204

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 787, LOT 109 (Parkwood Avenue and Adams Avenue)

October 27, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 787, Lot 109.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # 483935S in the amount of \$8,010.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$890.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$297.50 which represents the initial 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 Greivin Cordero, 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. Greivin Cordero
2328 4th Avenue
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS, BLOCK 919.02, LOTS 30 AND 31, AND BLOCK 919.03, LOTS 32 AND 33 (Strickland Boulevard and Johnson Road)

October 27, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 919.02, Lots 30 and 31, and Block 919.03, Lots 32 and 33.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,500.00 which represents the Performance Bond and the Safety & Stabilization 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 242 Strickland Blvd, 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. 242 Strickland Blvd., LLC
400 Madison Hill Road
Clark, NJ 07066

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 NEW OR UNUSED SANITATION TRUCKS FOR THE DEPARTMENT OF PUBLIC WORKS

OCTOBER 27, 2020

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

**NEW OR UNUSED SANITATION TRUCKS FOR
THE DEPARTMENT OF PUBLIC WORKS**

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

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

2. The Purchasing Division is hereby authorized to advertise for the receipt of sealed bids for the above-mentioned items/project for the Department of Public Works as follows:

Two (2) New and Unused Automated Trucks (Robo Trucks) with the option to purchase an additional one (1) over the next twelve months – not expected to exceed \$300,000.00 each.

Two (2) New and Unused Rear Loader Sanitation Trucks and cart tippers with the option to purchase an additional one (1) over the next twelve months – not expected to exceed \$227,000.00 each.

3. Funds are available in Account No. X-04-46-732-004.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ACCEPT THE
SUM OF \$10,509.10 TO BE USED TOWARDS THE CONSTRUCTION OF A KAYAK
LAUNCH LOCATED AT HUDDY PARK, BLOCK 234.09, LOT 38.03 (98 SUSAN STREET)
AND AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT TO
CONFIRM ACCEPTANCE OF THIS CONTRIBUTION**

OCTOBER 27, 2020

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

1. It hereby authorizes the Township of Toms River, to accept the sum of \$10,509.10, to be used towards the construction of a Kayak Launch located at Huddy Park, Block 234.09, Lot 38.03 (98 Susan Street).

2. The Mayor is authorized to execute the attached letter dated October 16, 2020, to confirm that the Township's acceptance of this contribution.

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) Chief Financial Officer
- f) Township Engineer
- g) Mathew R. Wilder, P.E.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE
DIVISION OF PURCHASING TO ADVERTISE AND RECEIVE PROPOSALS
FOR SERVICES EXEMPT FROM THE BIDDING PROCESS FOR THE
2021 CALENDAR YEAR**

OCTOBER 27, 2020

WHEREAS, the Township Council of the Township of Toms River is desirous of receiving proposals for certain services exempt from the bidding process for the 2021 calendar year; and

WHEREAS, some services are subject to the Campaign Finance Reform Act, as set forth in N.J.S.A. 19:44A-20.5 and awarded under the "Open and Fair Process", N.J.S.A. 19:44A-20.1, *et. seq.* and Chapter 84 of the Toms River Township Administrative Code; and

WHEREAS, the criteria to be considered is as follows:

- (a) Name and business address of proposed contractor. The names and roles of the individuals who will perform the task, and a description of their experience with projects similar to the matter being advertised.
- (b) References which include evidence of successful transactions for provision of similar goods or services.
- (c) Description of ability to provide the goods or services in a timely fashion (for service contracts, include staffing, familiarity, and location of key staff).
- (d) Cost details, including the hourly rates of each of the individuals who will perform services, time estimates for each individual, all expenses, and, where appropriate, a total cost of "not to exceed" amount.
- (e) Qualifications of the individuals who will perform the tasks and the amounts of their respective participation.
- (f) Other relevant experience.
- (g) Ability to perform the task or provide goods in a timely fashion.
- (h) Cost consideration, including, but not limited to, as applicable, historical costs for similar goods or services, expertise involved and comparable costs for comparable public entities; and

WHEREAS, proposals by vendors are to be sealed and opened at a time certain as determined by the Division of Purchasing, and such proposals shall become available to the public at that time:

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:

1. The Division of Purchasing is hereby authorized to advertise for the receipt of proposals for services exempt from the bidding process described below under a fair and open process as set forth in Chapter 84, "Contracts, Public", of the Toms River Township Administrative Code utilizing the following criteria:

(a) Name and business address of proposed contractor. The names and roles of the individuals who will perform the task, and a description of their experience with projects similar to the matter being advertised.

(b) References which include evidence of successful transactions for provision of similar goods or services.

(c) Description of ability to provide the goods or services in a timely fashion (for service contracts, include staffing, familiarity, and location of key staff).

(d) Cost details, including the hourly rates of each of the individuals who will perform services, time estimates for each individual, all expenses, and, where appropriate, a total cost of "not to exceed" amount.

(e) Qualifications of the individuals who will perform the tasks and the amounts of their respective participation.

(f) Other relevant experience.

(g) Ability to perform the task or provide goods in a timely fashion.

(h) Cost consideration, including, but not limited to, as applicable, historical costs for similar goods or services, expertise involved and comparable costs for comparable public entities.

2. The services exempt from the bidding process sought for the 2021 calendar year are:

Administrative Agent for Affordable Housing Units; not to exceed \$15,000.00, in Account No. X-19- -600-027

Bankruptcy Counsel at \$220.00 per hour, paralegals at \$95.00 per hour

Board of Adjustment Counsel: \$135.00 per hour, plus administrative fees and costs

Board of Adjustment Engineer: \$135.00 per hour, plus administrative fees and costs

Certified forester services at \$85.00 per hour

COAH legal services for general legal COAH services at \$195.00 per hour and paralegal services at \$95.00 per hour in Account No. X-19- -600-027

Conflict Board of Adjustment Counsel: \$135.00 per hour, plus administrative fees and costs

Conflict Board of Adjustment Professional Planner: \$135.00 per hour, plus administrative fees and costs

Conflict Planning Board Counsel: \$135.00 per hour, plus administrative fees and costs

Conflict Planning Board Professional Planner: \$135.00 per hour, plus administrative fees and costs

Conflict Prosecutor, at \$350.00 per court session, not to exceed \$5,000.00

Eminent Domain Counsel at \$195.00 per hour for attorneys and \$75.00 per hour for paralegals, not to exceed \$100,000.00

Employee Assistance Program (EAP) Administrator, for a total maximum amount not to exceed \$30,000.00; \$20,000.00 available in Account No. 1-01- -F41-401 for the Township of Toms River, and \$10,000.00 to be paid by Toms River Fire District No. 1

Six (6) sessions EAP model – assessment and counseling shall be available to employees and their immediate family members. In the event that referrals to additional external providers are deemed clinically appropriate, the EAP staff shall work with the employee’s health benefits insurance carrier to assist in locating appropriate covered providers and agree to accept all of Toms River

Township's Horizon health insurance plans (Direct Access, Point of Service or EPO Option) for payment following the initial six (6) visits at no charge to the employee and/or their family. The EAP Consulting Group shall offer day and evening appointments with more than one office location, convenient to the employee and their family members. Locations must be in Ocean County or within a 25-mile radius of Toms River. Pricing is to include all travel and expenses.

EAP Services shall include the following:

- Employee and Supervisory Orientation(s) at start-up,
 - Yearly Employee and/or Supervisory training (4),
 - DOT/SAP Evaluations of CDL employees testing positive, including reporting in the FMCSA Drug & Alcohol Clearing House, and consultations to the DER (as required),
 - Critical Incident Debriefing (CISD) or Crisis Intervention on an as needed basis,
 - On Site Crisis Response
 - Supervisory Consultations as needed, particularly to Management staff who refer employees for performance concerns,
 - Quarterly Utilization reports,
 - Employee promotional materials distributed regularly, via hard copy and electronic file
 - Referral support, tracking, follow up and reporting
 - 24-hour phone access handling routine appointments within 72 hours
 - Emergent appointments scheduled within 24 hours,
 - Face-to-face consultation as opposed to just phone consultation.
- The fee to be submitted shall be per employee / per month, for approximately 522 full-time employees and 44 part-time employees of the Township of Toms River and approximately 200 full time employees of Toms River Fire District #1.

The Township of Toms River and Toms River Fire District No. 1 shall have the right to increase or decrease the number of full time and/or part time employees based upon the actual number of persons covered by this service. The cost of services shall be adjusted based upon the cost per individual as established by the successful bidder.

Employee Benefits Consultancy and Brokerage Services for Medical/Prescription/Dental/Vision Coverage

Environmental Consultant expert on CIBA/BASF tax appeals in Account 1-01- -L21-534, not to exceed \$150,000.00 at the following rates:

Executive Principal	\$ 275.00/hr.
Principal	\$ 225.00/hr.
Senior Technical Director	\$ 200.00/hr.
Senior Project Manager	\$ 190.00/hr.
Technical Director	\$ 180.00/hr.
Project Manager	\$ 170.00/hr.
Senior Project Specialist	\$ 160.00/hr.
Senior Technical Professional	\$ 150.00/hr.
Technical Professional	\$ 140.00/hr.
Technical Specialist	\$ 130.00/hr.
Specialist	\$ 120.00/hr.
Senior Data Technician	\$ 110.00/hr.
Senior Technical Assistant	\$ 100.00/hr.
Technical Assistant	\$ 90.00/hr.
Data/Field Technician	\$ 75.00/hr.
Survey Crew – 2 Man	\$ 200.00/hr.
Survey Crew – 1 Man w/Robotic Equipment	\$ 175.00/hr.
Expert Witness	\$ 325.00/hr.
Sr. LSRP	\$ 275.00/hr.

LSRP	\$ 215.00/hr.
General Expenses	Cost + 15%
Travel (Hotel, Airfare, Meals)	Cost + 15%
Sub-Consultants/Sub-Contractors	Cost + 20%
Mileage Reimbursement*	\$ 0.56/per mile
Plotting	\$ 3.75/each
Computer Mylars/Color Plots	\$ 50.00/each
Photo Copies	\$.10/each
Color Photo Copies	\$ 1.75/each
Document Binding	\$ 3.00/each
Portable Media	\$ 75.00/each
Exhibition Lamination (24" x 36" or larger)	\$ 50.00/each
Initial Digital Signature	\$250.00/each
Additional Digital Signature	\$ 50.00/each

* Mileage reimbursement subject to change based on IRS standard mileage rate.

Environmental Legal Counsel, including but not limited to applications to the N.J.D.E.P., and State House Commission matters, at \$220.00 per hour, and paralegals at the rate of \$95.00 per hour

Financial Advisor and Counseling Services, \$145.00 per hour for professionals and \$50.00 per hour for administrative purposes

General legal and litigation services at \$135.00 per hour

Landfill Environmental Consultants: not to exceed a total maximum amount of \$98,000.00 for CY21, at the rate of:

Technical Assistant	\$60.00/hour
Field Technician	\$70.00/hour
Computer Design and Drafting	\$90.00/hour
Sr. Computer Design and Drafting	\$105.00/hour
Hydrogeologist I/Scientist I/Engineer I	\$75.00/hour
Hydrogeologist II/Scientist II/Engineer II	\$90.00/hour
Hydrogeologist III/Scientist III/Engineer III	\$105.00/hour
Associate Project Manager	\$125.00/hour
Project Manager	\$140.00/hour
Sr. Project Manager	\$160.00/hour
Sr. Scientist/Engineer	\$170.00/hour
Project Director	\$180.00/hour
Sr. Project Director	\$185.00/hour
Principal Consultant	\$200.00/hour
Sr. Principal Consultant	\$225.00/hour
Sr. Principal Consultant II	\$260.00/hour
Equipment: costs + 10%	
Office expenses: labor force + 4%	

Municipal Auditor services Partners: \$145.00 per hour; Manager: \$115.00 per hour; Supervisor \$90.00 per hour; Senior Staff: \$75.00 per hour and Staff: \$65.00 per hour, in Account No. 1-01- -F12-206

Municipal Bond counsel services, at \$250.00 per hour for tax attorney services, \$225.00 per hour for bond attorney services, and between \$80.00 per hour to \$135.00 per hour for legal assistants, and at rates for the following services:

- a. For services rendered or in connection with each bond sale, a fee of \$3,500.00 plus \$1.00 per thousand dollars of bonds issued.
- b. For services rendered in connection with the preparation or review of each ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of \$400.00 for each single purpose ordinance and \$600.00 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of

- the ordinary, there will be additional fees to be charged at the hourly rates of the attorneys and paralegals providing such services, as described above. The fees for services in connection with the ordinances will be charged periodically during the course of the year.
- c. The fee for any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at closing, shall be billed at the hourly rates for attorneys and paralegals as described above, with a minimum fee of \$750.00.
 - d. Written post issuance tax compliance procedures will be provided by Bond Counsel at the request of the CFO at a fixed cost of not more than \$5,000.00 for a template; with any modifications thereto billed at Bond Counsel's normal hourly rates for attorneys and paralegals as described above.
 - e. Services rendered beyond the scope of those described herein will be billed at the hourly rates for attorneys and paralegals as described above depending on the attorney or paralegal involved. Such services may include attendance at meetings, all work required in connection with any financing through a borrowing through the New Jersey Environmental Infrastructure Trust Program, extraordinary work involved in the preparation of the Official Statement, attention to any litigation that may occur, complicated arbitrage analysis, implementation of procedures required by IRS Circular 230 or applications to the Federal Reserve Bank for investments of bond or note proceeds in State and Local Government Series federal obligations. If the Bond sale involves the sale of minibonds, the sale of obligations to the United States Department of Agriculture, Farmers Home Administration, or an application to the Local Finance Board, such services will be billed for attorneys and paralegals at the hourly rates described above with a minimum fee of \$750.00. In the event that bond insurance, a letter of credit or similar credit enhancement facility is used in connection with a bond issue, an additional fee based on the responsibility assumed and time involved will be charged.
 - f. In the event of a refunding bond issue providing for an escrow agreement and an investment of the proceeds consistent with the restrictions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be a fee of \$10,000.00 in addition to the fees described herein.
 - g. In the event that a bond sale is held but all bids are rejected or the sale is canceled, the fee to be charged shall be a reasonable one, based on the services performed.
 - h. Customary disbursements for postage, telephone, photocopying, travel and out-of-pocket expenses shall be added to the fees referred to in this Agreement.

Municipal Prosecutor and Assistants \$75,000.00 annually not to exceed \$6,250.00 on a monthly basis, plus \$2,600.00 for 4 special sessions at \$650.00 for each session and \$10,200.00 for 12 special driving while intoxicated sessions at \$850.00 for each session, for a total of \$87,800.00

Municipal Public Defender \$47,000.00 annually not to exceed \$3,916.66 on a monthly basis, plus \$400.00 for each special trial session in Toms River Municipal Court at \$250.00 for each bail review session in Ocean County Superior Court

Planning Board Counsel: \$135.00 per hour, plus administrative fees and costs

Planning Board Engineer: \$135.00 per hour, plus administrative fees and costs

Police emergency medical service director, not to exceed the maximum amount of \$18,500.00, at \$1,541.66 per month, which includes 10 hours per month spent for the aforementioned activities.

Pool Architectural Services: to be placed on a pre-approved list to receive bids, requests or solicitations as required by law for future architectural capital improvement projects and general architectural services.

Pool Conflict Municipal Public Defenders, at \$350.00 per court session, not to exceed \$5,000.00 for each public defender for a total maximum amount not to exceed \$15,000.00

Pool Emergency veterinarian services for a total maximum amount not to exceed \$11,000.00; \$10,000.00 in Account No. 1-13- -911-011, and \$1,000.00 in Account No. 1-01- -P45-534

Pool Non-emergency veterinary services not to exceed \$87,000.00 from Account No. 1-13- -911-011 - \$68,000.00; Account No. 1-13- -911-002 - \$10,000.00; and Account No. 1-01- -P45-534 - \$ 9,000.00

Pool Inspection and general engineering services rates at:

Principal Engineer	\$ 163.00/hr.
Project Manager (PE)	\$ 158.00/hr.
Design Engineer (EIT)	\$ 130.00/hr.
Design Engineer	\$ 112.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$ 143.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$ 132.00/hr.
Senior Designer	\$ 95.00/hr.
Computer Technician	\$ 95.00/hr.
Engineering Technician	\$ 95.00/hr.
Survey Technician	\$ 81.00/hr.
Senior CADD Operator	\$ 95.00/hr.
CADD Operator	\$ 81.00/hr.
Field Survey Crew	\$ 168.00/hr.
Senior Inspector	\$ 107.00/hr.
Inspector Level 1	\$ 62.00/hr.
Inspector Level 2	\$ 87.00/hr.
Secretary/Clerical	\$ 40.00/hr.
Delivery	\$ 40.00/hr.
Prints	\$ 0.25/sq.ft.
Mylars	\$ 1.53/sq.ft.
Cloths	\$ 2.10/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost

Pool Redevelopment Attorneys - Redevelopment Legal Counsel services to represent the Township in redevelopment matters, not to exceed \$35,000.00, for each attorney, total maximum not to exceed \$70,000.00 for all attorneys.

Real estate abstract/title services: rates as regulated by the New Jersey Department of Insurance for title insurance.

Real estate appraisers

MAI Designated Appraiser:	\$160.00/hour
State Certified General Appraiser Staff:	\$115.00/hour
Field Personnel/Research Assistants:	\$100.00/hour
Clerical:	\$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research:	\$ 315.00
Report and Exhibit Copies:	
Copy fees - \$0.35/sheet/Color - \$0.95/sheet	
Binders, photos, exhibits and maps @ \$120% of cost.	

Real estate appraisal services for property tax appeals

MAI Designated Appraiser:	\$160.00/hour
State Certified General Appraiser Staff:	\$115.00/hour
Field Personnel/Research Assistants:	\$100.00/hour
Clerical:	\$ 55.00/hour
File preparation including owner notification, project control, sheets	

and deed research: \$ 315.00
Report and Exhibit Copies:
Copy fees - \$0.35/sheet/Color - \$0.95/sheet
Binders, photos, exhibits and maps @ \$120% of cost.

Rent leveling board accounting services, at the rate of \$100.00 per hour, for a total maximum amount not to exceed \$6,000.00

Special Labor Law Counsel at \$175.00 per hour, not to exceed \$20,000.00

Special Legal Counsel in the matter of *Township of Dover v. Ciba Specialty Chemicals Corp., et. als.*, Docket No. L-2884-03 and L-1686-06 PW, at \$220.00 per hour for attorneys and \$95.00 per hour for paralegals, not to exceed a total of \$23,000.00.

Special Legal Counsel in the matter of *NJDEP v. Almo Anti-Pollution Services, et als. v. Toms River Township, et als.*, at \$200.00 per hour for partners, and \$140.00 per hour for associates, not to exceed a total maximum amount of \$15,000.00.

Special Legal Counsel in the matter of CIBA/BASF tax appeals at \$220.00 per hour for attorneys and \$95.00 per hour for paralegals.

Special Legal Counsel regarding the Religious Land Use and Institutionalized Persons Act at \$750.00 per hour, not to exceed a total maximum amount of \$65,000.00.

Township Cardiologist, not to exceed \$5,000.00

Cardiac Testing to be conducted within one week
Regular stress test: No more than \$85.00
Nuclear stress test: No more than \$550.00 plus cost of isotope and lexiscan
ECHO ultrasound: No more than \$260.00
Cardiac office evaluation for new patient: no more than \$225.00,
Cardiac office follow up: no more than \$120.00.
Further rates to be provided on a case by case basis.

Township Physician, not to exceed \$5,000.00

Ishihara Color Vision testing, 14 plate	\$15.00
ECG-Routine 12 Lead; w/intrpt. & report	\$46.00
Eduex Physical Administrative	\$60.00
Comprehensive Metabolic Panel via M	\$30.00
Complete blood count	\$22.00

Township Psychologist, not to exceed \$15,000.00

Police Officer-Psych Evaluation	\$500.00
Police Officer-Fitness for Duty	\$600.00
SLEOI (Class I's)	\$250.00

Zoning Prosecutor at \$400.00 per municipal court session, for a total maximum amount not to exceed \$16,000.00. Any additional duties requested by the Township will be billed at the rate of \$135.00 per hour, not to exceed \$20,000.00.

3. Proposals by vendors are to be sealed and opened at a time certain as determined by the Division of Purchasing, and such proposals shall become available to the public at that time.

4. The term for these services shall commence January 1, 2021 up to and including December 31, 2021.

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 Clerk
- e) Department Heads

- f) Township Attorney
- g) Township Engineer
- h) Municipal Court
- i) Planning Board
- j) Board of Adjustment
- k) Purchasing Division

Art Anderson questioned the following Resolution.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, 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, AUTHORIZING AWARD OF NEGOTIATED
CONTRACTS FOR SNOW PLOWING SERVICES FOR A TWO (2) YEAR TERM
COMMENCING RETROACTIVE TO OCTOBER 1, 2020 THROUGH
SEPTEMBER 30, 2022**

OCTOBER 27, 2020

WHEREAS, bids were invited on September 18, 2020 for Snow Plowing Services; and

WHEREAS, no bids were received; and

WHEREAS, rebids were invited on October 7, 2020 with no bids being received; and

WHEREAS, N.J.S.A. 40A:11-5 (3)(a), authorizes Township Officials to negotiate contracts for Snow Plowing Services; and

WHEREAS, pursuant to N.J.S.A. 40A: 11-15, this contract may be extended for no more than one (1) two-year, or, two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution, and with the agreement of the vendors; and

WHEREAS, contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same; 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 awards contracts for snow plowing services for the term commencing retroactive to October 1, 2020 through September 30, 2022 to the following vendors:

- a) Accurate Towing
- b) All-Tech Assembly
- c) American Coring and Supply, Inc.
- d) Best Paving, Inc.
- e) Chapman Construction Services
- f) Chappelle Mechanical, Inc.
- g) Dover Excavating
- h) Erbe Builders, Inc.
- i) Felton Trucking, Inc.
- j) Forte Excavating, LLC
- k) Guzzi Masonry & Paving
- l) Handyman & Remodeling LLC
- m) H&D Rosetto, Inc.
- n) Hydro-Science Group Corp.
- o) John Jenusz

- p) Matt Monagas Decorative Stone, LLC
- q) Midlantic Construction
- r) Nicholas Pools, Inc.
- s) Poseidon Pools
- t) Precision Auto Motorcycle and Marine Service
- u) TSF Contracting

2. The contracts awarded hereby shall be open-ended. The contracts shall include the following hourly rates for equipment and operator:

Graders, articulating loaders, rubber tire loaders (644, 744, 844 & 944, 1.75 to 5 cu. yd. bucket):	\$ 225.00
Small Articulating Loaders:	\$ 190.00
Tandem Axle Trucks with Contractor's Own Plow:	\$ 175.00
Tandem Axle Trucks with Township's Snow Plow and Full-Size Backhoe:	\$ 170.00
Single Axle Dump Trucks with 5 cu. yd. or Larger. Bodies with Contractor's Own Snow Plow, minimum 26,000 GVW or larger:	\$ 135.00
Mason Dumps (under 5 cu. yd.), Small Rack and Utility Body Trucks with Contractor's own Snow Plow, 4x4, 1/2, 3/4, and 1 Ton Pick-ups with Contractor's Own Snow Plow:	\$ 120.00
Skid Loader/Bobcat:	\$ 105.00

3. Term of Contracts: Commencing retroactive to October 1, 2020 through September 30, 2022. These contracts shall be open-ended with funds being encumbered each time services are required, contingent upon the availability of funds in the applicable municipal budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. All plowing services are contingent upon execution of a contract with the Township of Toms River.

4. Pursuant to N.J.S.A. 40:11-15, the contracts may be extended for no more than one (1) two-year, or, two (2) one-year terms, or, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution, and with the agreement of the vendors. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same.

5. A complete list of the contractors and equipment is listed above, as of the date of this resolution.

6. 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) Purchasing Division
- c) Public Works Department
- d) Township Attorney
- e) **Accurate Towing**
12-14 James Street
Toms River, NJ 08753
- f) **All-Tech Assembly**
600 New Hampshire Avenue
Lakewood, NJ 08701
- g) **American Coring & Supply, Inc.**
89 Susan Street
Toms River, N.J. 08753

- h) **Best Paving, Inc.**
702 Elizabeth Avenue
Toms River, N.J. 08753
- i) **Chapman Construction Services**
807 Derry Dr.
Toms River, NJ 08753
- j) **Chappelle Mechanical, Inc.**
3461 E. Thistle Avenue
Toms River, N.J. 08753
- k) **Dover Excavating**
174B Lakewood Road
Toms River, NJ 08755
- l) **Erbe Builders, Inc.**
P.O. Box 4680
Toms River, N.J. 08754
- m) **Felton Trucking, Inc.**
213 Bash Road
Toms River, N.J. 08753
- n) **Felton Trucking, Inc.**
213 Bash Road
Toms River, NJ 08753
- o) **Guzzi Masonry & Paving, Inc.**
610 Garfield Avenue
Toms River, N.J. 08753
- p) **Handyman & Remodeling LLC**
1103 Fairview Dr.
Toms River, NJ 08753
- q) **H&D Rosetto, Inc.**
352 Edison Avenue
Jackson, NJ 08527
- r) **Hydro-Science Group Corp.**
P.O. Box 4978
Toms River, N.J. 08754
- s) **John Jenusz**
361 Dallas Drive
Toms River, NJ 08753
- t) **Matt Monagas Decorative Stone, LLC**
P.O. Box 289
Normandy Beach, N.J. 08739
- u) **Midlantic Construction**
371 North Main Street
Barnegat, NJ 08003
- v) **Nicholas Pools Inc.**
1820 Lakewood Road
Toms River, N.J. 08755
- w) **Poseidon Pools**
1889 Lakewood Road, Unit 96
Toms River, NJ 08755
- x) **Precision Auto Motorcycle and Marine Service**
2004 Adams Avenue
Toms River, NJ 08753
- y) **TSF Contracting**
1104 Cox Cro Road
Toms River, NJ 08755

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contracts awarded for snow plowing services, shall be open-ended, 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 account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: October 27, 2020

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 abstaining, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS, BLOCK 173, LOT 47 (2165 Lakewood Road)

October 27, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 173, Lot 47.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$8,900.00 which represents the full portion of the performance 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 Aint No Fun Properties, 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. Aint No Fun Properties, LLC
2165 Route 9
Toms River, NJ 08755

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, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS, BLOCK 164, LOTS 7 AND 13 (2165 Lakewood Road)

October 27, 2020

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as, Gabrielle Run, Block 164, Lots 7 & 13.

WHEREAS, Reduced Performance Bonds have been posted as follows:

- 1) Reduced Surety Bond # S291927 in the amount of \$340,956.00 which represents the ninety percent portion of the performance guarantee amount, is hereby accepted;

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 portion of the Cash Performance Bond to be released from the original amount of \$126,280.00 in the amount of \$88,396.00 from account # 0-14- -902-101, leaving \$37,884.00 to represent the Reduced Performance Bond.
- 2) The bonds set forth in the preamble hereto are hereby approved.
- 3) Said bond approval is conditioned upon compliance by JSM at Hickory Street, 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. JSM at Hickory Street, LLC.
Attn: Ronald Aulenbach
1260 Stelton Road
Piscataway, NJ 08854

REPORTS - NONE

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

NOTE:

Councilman Lotano spoke on legal fee to taxpayers from Council Rodrick and demanded that Council Rodrick pay his own fees.

Council Member Kopp spoke regarding the fees.

Council Member Turnbach spoke regarding the fees and conflict with Council

Council Member Huryk spoke on conflict due to council involvement.

A motion was made by Council Member Lotano, 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 no, to remove bill **20-05129 in litigation fees in the amount \$4,477.50, payable to Kevin Riordan, Esquire, for discussion or approval.**

The Bill List, dated **October 22, 2020** was approved on motion by Council Member Geoghegan, 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:

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

Purchase Order 20-04015, payable to Board of Fire Commission District Two in the amount of \$9,898.35.

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

Purchase Order 20-05381, payable to NJ MVC LEASE Program in the amount of \$4,450.50.

Council Member Huryk abstained due to Business conflicts on the following:

Purchase Order 20-05035, 20-05124, & 20-05189, payable to Remington & Vernick Engineers in the amount of \$9,810.00.

Purchase Order 20-05381, payable to Recreation Salaries in the amount of \$8,646.82.

Council Member Kopp abstained due to Business conflicts on the following:

Purchase Order 20-04015, payable to Board of Fire Commission District Two in the amount of \$9,898.35.

Purchase Order 20-05041, payable to Owen, Little & Assoc. Inc., in the amount of \$9,846.80.

Council Member Lotano abstained due to Business conflicts on the following:

Purchase Order 20-05116, payable to Brady & Kunz in the amount of \$94.50.

Purchase Order 20-03562, payable to Mr. Keys Inc., in the amount of \$137.50.

Purchase Order 19-03911, payable to O'Donnell, Stanton & Associates Inc., in the amount of \$4,229.50.

Council Member Rodrick - none

Council Member Turnbach abstained due to Business conflicts on the following:

Purchase Order 20-05381, payable to Magistrate Salaries in the amount of \$6,549.48.

ELECTED OFFICIALS COMMENTS

Mayor Hill commented on the Oceans of Love Fundraiser. He also spoke regarding trick or treat and safety suggestions; urged voters to get ballots in by next Tuesday, Election Day; and he mentioned the late L. Manuel Hirshblond, his accomplishments and dedication throughout his years of service to the Township, and how badly he will be missed. He was truly "Mr. Dover Township".

Council Member Rodrick had no comments.

Council Member Kopp spoke regarding Farmers Market updates; Downtown night out; and Happy Halloween.

Council Member Huryk spoke regarding a Candlelight Vigil planned to be held for Domestic Violence Victims; gave updates on Exit 82 and their Covid friendly shows; Veterans Day event on November 11th at Bey Lea Park; Operation BBQ Relief, and thanked them for their donation of free meals; updates going on at The Shops at 53 Main Street for ribbon cutting and the BID Scarecrows contest.

Council Member Turnbach commented on Council Rodrick's case and comments made to the media about Marlene Lynch Ford. Councilman Turnbach described the Judge's integrity and character and all of her accomplishments. November 1 Code Blue Season starts; TREA has been incorporated and 5K is already planned for day after Thanksgiving November 28, at 3:30 pm.

Council Member Lotano spoke regarding Harvest Arts Show; candlelight vigil tomorrow night honoring Domestic Violence Safety; precautions for trick or treat.

Council Member Geoghegan spoke regarding lawsuit filed by Councilman Rodrick and Marlene Lynch Ford ruled it was denied/dismissed with prejudice. Comments were made on Rodrick's attack on Ms. Ford character and integrity. He also spoke regarding Oceans of Love event; and Happy Halloween.

Council President Maruca had no comments.

PUBLIC COMMENTS

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

Chris Raimann, 111 Flag Street, Thanked Council for food distribution every Friday; Just Believe and Code Blue compliments.

No further comments from the public appearing, a motion was made by Council Member Huryk, seconded by Council Member Kopp and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes, **the public portion was closed.**

No other business appearing, the meeting was **adjourned** at 6:45 P. M., on motion with Council Member Huryk, seconded by Council Member Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Rodrick, Turnbach, and Council President Maruca voting yes.

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK