

November 10, 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	- Absent
Council Member Turnbach	- Present
Council Vice-President Geoghegan	- Present
Council President Maruca	- Present

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

APPROVAL OF MINUTES

A motion was made by Council Member Huryk, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent, to approve the **Regular Meeting of October 27, 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 Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent, to make the following honoring proclamations a part of the Minutes.

Business Improvement District Director Marin came to accept proclamation for Small Business Saturday, November 28th.

Township of Toms River

Proclamation

Small Business Saturday – Nov. 28, 2020

November 10, 2020

WHEREAS, *the government of Toms River Township* celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 30.7 million small businesses in the United States, they represent 99.7% of all firms with paid employees in the United States, are responsible for 64.9% of net new jobs created from 2000 to 2018; and

WHEREAS, small businesses employ 47.3% of the employees in the private sector in the United States, 62% of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business, 65% of U.S. small business owners said it would be most helpful to their business to have their “regulars” return and start making purchases again, and three-quarters of U.S. consumers are currently looking for ways to Shop Small® and support their community; and

WHEREAS, 96% of consumers who shopped on Small Business Saturday® agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and 97% of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and

WHEREAS, 95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently-owned businesses all year long, not just during the holiday season; and

WHEREAS, Toms River Township, New Jersey supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, MAURICE B. HILL, JR., MAYOR of the Township of Toms River, do hereby proclaim, *November 28, 2020, as SMALL BUSINESS SATURDAY* and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

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 President Maruca presented Cindy Farrell with a clock for her retirement and her 40 years of service.

Township of Toms River



Veterans Day Ceremony Proclamation

November 11, 2020

WHEREAS, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, since the establishment of the original 13 states, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, we owe a great debt to those who have served in defense of this nation; and

WHEREAS, throughout the generations, their sacrifices have preserved our unique form of government dedicated to human rights and respect for the individual; and

WHEREAS, for many, that sacrifice ended in permanent injury or death, yet their spirit remains in continued preservation of our freedoms and the promise of liberty established as an example for all oppressed persons of the world; and

WHEREAS, in honor of these dedicated men and women, we pledge continued defense of our nation so that their sacrifice will stand before the entire world as a tribute to the spirit and determination of people dedicated to the principles of freedom and democracy.

NOW, THEREFORE, be it resolved by Mayor Maurice B. Hill, Jr. and the Township Council of The Township of Toms River, we hereby call upon the citizenry of Toms River Township to participate in services and to observe the eleventh hour of the eleventh day of the eleventh month with expressions of gratitude to all veterans known to them and to further extend this gratitude to the families of deceased veterans and to solemnly remember the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom. Let us re-consecrate ourselves to the task of promoting an enduring peace so that their efforts shall not have been in vain.

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

Mayor Hill and Council Members introduced the Girl Scouts Isabella Onofrietti, Jullian Peslak, and Rory Leadbeater.

Township of Toms River
Proclamation
Girl Scout Gold Award
November 10, 2020

WHEREAS, Isabella Onofrietti has received the Gold Award which is the highest rank of achievement in Girl Scouts; originally called the Golden Eagle of Merit; and

WHEREAS, since 1916 the Girl Scout Award has stood for excellence and leadership for girls everywhere with girls who pursue the award aspiring to transform an idea and vision for change into an actionable plan with far-reaching results; and

WHEREAS, the Gold Award requires girls in grades 9-12 to make a measurable and sustainable difference in their community through assessing a need, designing a solution, and, through completion of their project, inspiring others to sustain it; and

WHEREAS, the Gold Award is the highest award in Girl Scouting honoring leadership in the Girl Scout tradition; and

WHEREAS, the Girl Scout Leadership Experience helps girls develop a solid foundation in leadership through core programs around science, technology, engineering, and math (STEM), environmental stewardship, healthy living, financial literacy and global citizenship; and

WHEREAS, Isabella Onofrietti has successfully completed all requirements to receive the Girl Scout Gold Award.

NOW, THEREFORE, I, Maurice B. Hill, Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate Isabella Onofrietti on her achievement in receiving the Girl Scout Gold Award.

Mayor Maurice B. Hill

Maria L. Maruca, Council President

Kevin M. Geoghegan

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Daniel T. Rodrick

Terrance L. Turnbach

Township of Toms River Proclamation

Girl Scout Gold Award

November 10, 2020

WHEREAS, Jillian Peslak has received the Gold Award which is the highest rank of achievement in Girl Scouts; originally called the Golden Eagle of Merit; and

WHEREAS, since 1916 the Girl Scout Award has stood for excellence and leadership for girls everywhere with girls who pursue the award aspiring to transform an idea and vision for change into an actionable plan with far-reaching results; and

WHEREAS, the Gold Award requires girls in grades 9-12 to make a measurable and sustainable difference in their community through assessing a need, designing a solution, and, through completion of their project, inspiring others to sustain it; and

WHEREAS, the Gold Award is the highest award in Girl Scouting honoring leadership in the Girl Scout tradition; and

WHEREAS, the Girl Scout Leadership Experience helps girls develop a solid foundation in leadership through core programs around science, technology, engineering, and math (STEM), environmental stewardship, healthy living, financial literacy and global citizenship; and

WHEREAS, Jillian Peslak has successfully completed all requirements to receive the Girl Scout Gold Award.

NOW, THEREFORE, I, Maurice B. Hill, Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate **Jillian Peslak** on her achievement in receiving the Girl Scout Gold Award.

Mayor Maurice B. Hill

Maria L. Maruca, Council President

Kevin M. Geoghegan

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Daniel T. Rodrick

Terrance L. Turnbach

Township of Toms River

Proclamation

Girl Scout Gold Award

November 10, 2020

WHEREAS, Rory Leadbeater has received the Gold Award which is the highest rank of achievement in Girl Scouts; originally called the Golden Eagle of Merit; and

WHEREAS, since 1916 the Girl Scout Award has stood for excellence and leadership for girls everywhere with girls who pursue the award aspiring to transform an idea and vision for change into an actionable plan with far-reaching results; and

WHEREAS, the Gold Award requires girls in grades 9-12 to make a measurable and sustainable difference in their community through assessing a need, designing a solution, and, through completion of their project, inspiring others to sustain it; and

WHEREAS, the Gold Award is the highest award in Girl Scouting honoring leadership in the Girl Scout tradition; and

WHEREAS, the Girl Scout Leadership Experience helps girls develop a solid foundation in leadership through core programs around science, technology, engineering, and math (STEM), environmental stewardship, healthy living, financial literacy and global citizenship; and

WHEREAS, Rory Leadbeater has successfully completed all requirements to receive the Girl Scout Gold Award.

NOW, THEREFORE, I, Maurice B. Hill, Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate **Rory Leadbeater** on her achievement in receiving the Girl Scout Gold Award.

Mayor Maurice B. Hill

Maria L. Maruca, Council President

Kevin M. Geoghegan

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Daniel T. Rodrick

Terrance L. Turnbach

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Alison Carlisle, Township Clerk, announced that the Supplemental Debt Statement is on file in the Clerk's Office.

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

BOND ORDINANCE APPROPRIATING \$5,000,000 AND AUTHORIZING THE ISSUANCE OF \$4,750,000 IN BONDS AND NOTES TO FUND VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF CAPITAL EQUIPMENT, INCLUDING THE LOCAL MATCH FOR THE FEDERAL "BUILD" GRANT AND PHASE I OF THE FEDERALLY-MANDATED RADIO FREQUENCY CHANGE

BE IT ORDAINED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Toms River, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$5,000,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$250,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1

et seq., now available by virtue of provision in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$4,750,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the:

i) Downtown Toms River Loop Road Project, including upgrades to downtown streets and infrastructure and the planning and design thereof, with a total appropriation and estimated cost of \$2,265,000, an estimated maximum amount of bonds or notes therefor of \$2,151,750, and an average period of usefulness of twenty (20) years; and

ii) Radio Tower Project Phase I, including, but not limited to, planning and design, dispatch building and site work make-ready, and the acquisition of dispatch communications equipment and mobile radios, with a total appropriation and estimated cost of \$2,735,000, estimated amount of bonds and notes therefor of \$2,598,250, and an average period of usefulness of 26.27 years,

together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Township Clerk, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$4,750,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$5,000,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$5,000,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$250,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 23.43 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,750,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,281,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), held on November 10, 2020. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Offices, 33 Washington Street, Toms River, New Jersey, on November 24, 2020, at 6:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

A copy of this ordinance has been posted on the bulletin board upon which public notices are customarily posted in the Municipal Complex of the Township during the week prior to and up to and including the date of such meeting; copies of the ordinance are available to the general public of the Township who shall request such copies, at the office of the Municipal Clerk in said Township of Toms River, in the County of Ocean, New Jersey. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE APPROPRIATING \$5,000,000 AND AUTHORIZING THE ISSUANCE OF \$4,750,000 IN BONDS AND NOTES TO FUND VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF CAPITAL EQUIPMENT, INCLUDING THE LOCAL MATCH FOR THE FEDERAL "BUILD" GRANT AND PHASE I OF THE FEDERALLY-MANDATED RADIO FREQUENCY CHANGE

Purpose(s): Providing for the following capital improvements and/or acquisitions: (i) Downtown Toms River Loop Road Project, including upgrades to downtown

streets and infrastructure and the planning and design thereof; and (ii) Radio Tower Project Phase I, including, but not limited to, planning and design, dispatch building and site work make-ready, and the acquisition of dispatch communications equipment and mobile radios.

Appropriation: \$5,000,000

Bonds/Notes Authorized: \$4,750,000

Section 20 Costs: \$1,281,000

Useful Life: 23.43 Years

ALISON CARLISLE, Municipal Clerk
Township of Toms River
County of Ocean, New Jersey

A motion was made by Council Member Geoghegan, seconded by Council Member Huryk and carried, with Council Members Huryk, Geoghegan, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent, 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 November 10, 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 224, 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, November 13, 2020.

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

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

RESOLUTION CANCELING GENERAL CAPITAL IMPROVEMENT AUTHORIZATIONS

NOVEMBER 10, 2020

WHEREAS, certain General Capital Improvement Authorizations have been deemed cancelable by the Chief Financial Officer; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended/uncollectible balances may be returned to the appropriate or originating account;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, that the following General Capital Improvement Authorizations are hereby canceled:

<u>Improvement authorization</u>	<u>Amount</u>
Ordinance 4398-13 ;4418-13; 4515-16	\$5,000,000

BE IT FURTHER RESOLVED that the Township Clerk shall send a certified copy hereof to each of the following:

- A. Township CFO
- B. Township Deputy CFO
- C. Township Auditor

Approved as to Content

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, SUPPORTING THE EFFORTS OF CONGRESSMEN SMITH, VAN DREW AND KIM TO CORRECT THE INACCURACIES OF THE SSA COLA FORMULA WHILE ALSO IMPLEMENTING A 2-YEAR EMERGENCY 3 PRCENT COLA TO HELP PROTECT OUR SENIORS

NOVEMBER 10, 2020

WHEREAS, Ocean County is home to the largest senior population in the state of New Jersey, with many of the 173,000 seniors living solely on Social Security receiving about \$1,500 per month to cover housing, food, medications and utilities; and

WHEREAS, the Social Security Administration recently announced the Cost of Living Adjustment (COLA) for Social Security recipients was a mere 1.3 percent for 2021; and

WHEREAS the current increase of 1.3 percent falls for short of recent cost of living increases especially as it relates to the coronavirus pandemic; and

WHEREAS, U.S. Representative Christopher H. Smith, 4th District, and U.S. Representative Jeff Van Drew, 2nd District, in concert with the Ocean County Board of Chosen Freeholders has voiced their frustration over the low increase in benefits; and

WHEREAS, Congressman Smith along with Congressman Van Drew have introduced legislation in an effort to help all seniors relying on Social Security as their sole monthly income, that would provide an immediate, 2-year emergency 3 percent COLA, including 2020 and 2021, during the national COVID-19 emergency; and

WHEREAS, HR8600, the COVID-19 Emergency Social Security Cost of Living Increase Act, is aimed at helping seniors and other Social Security recipients keep up with rising costs they experience in their daily lives, especially in health care, and

WHEREAS, Congressmen Smith and Van Drew's proposed legislation will also require the Social Security Administration to determine the annual COLA by using a senior consumer price index beginning in 2021; and

WHEREAS, the proposed measure would change the formula so that it gives appropriate weight to the types of expenses which recipients of Social Security and Supplemental Security Income (SSI) regularly face including rising medical and pharmaceutical expenses.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, soundly supports the efforts of Congressmen Smith and Van Drew to correct the inaccuracies of the SSA COLA formula while also implementing a 2-year emergency 3 percent COLA to help protect our seniors from financial hardships and allow them to continue to live independently without the fear and anxiety that comes from financial concerns.

BE IT FURTHER RESOLVED that the Township of Toms River encourages all of the Congressional leadership to support and expedite this legislation in order to protect the elderly population that is the most vulnerable and frail.

BE IT FURTHER RESOLVED that certified copies of this resolution shall be made available to Congressman Chris Smith, Congressman Jeff Van Drew, Congressman Andy Kim, the 9th, 10th, 12th, and 30th Legislative Districts and all Ocean County Municipalities.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING SUBMISSION OF THE "BEST PRACTICES INVENTORY", TO THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS

NOVEMBER 10, 2020

WHEREAS, the Township of Toms River has submitted the CY2020/SFY 2020 Best Practices Inventory; and

WHEREAS, said application was subject to presentation and public discussion at the Council meeting of the Township of Toms River on November 10, 2020, pursuant to Local Finance Notice 2020-20;

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

1. The appropriate municipal officials are hereby authorized to submit such application to the State of New Jersey, Department of Community Affairs.

2. The Municipal Clerk is authorized to certify that the inventory and results thereof were discussed publicly.

3. The Municipal Clerk shall provide certified copies of the Resolution to each of the following:

- a) Mayor Maurice B. Hill Jr.
- b) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Township Attorney
- f) State of New Jersey
Department of Community Affairs
101 South Broad Street

CERTIFICATION BY MUNICIPAL CLERK

I, HEREBY CERTIFY that the CY2020 Best Practices Inventory and results thereof of the Township of Toms were discussed publicly at a regular meeting of the Township Council on November 10, 2020.

ALISON CARLISLE
MUNICIPAL CLERK
TOWNSHIP OF TOMS RIVER

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, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent, to approve all the following items listed on the Consent Agenda.

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

NOVEMBER 10, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 247 LOT 1, located at 167 Maine Street, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1st , 2020 and

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

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

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

1. All 2020 real property taxes for Block 247 Lot 1 due on or after January 1st 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 247 lot 1, if any, shall be refunded on a pro-rated basis from January 1st 2020.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Maurice B, HILL Jr.
- b) Louis Amoruso, 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 669.21 LOT 6
EFFECTIVE SEPTEMBER 11TH 2020, AND PROVIDING THAT PROPERTY TAXES FOR
2020, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

NOVEMBER 10, 2020

WHEREAS, the owner of real property in the Township of Toms River known as Block 669.21 LOT 6, located at 1 Maiden Lane, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective September 11th, 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 669.21 Lot 6 due on or after September 11th 2020, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 669.21 Lot 6, if any, shall be refunded on a pro-rated basis from September 11th 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) Louis Amoruso, 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

NOVEMBER 10, 2020

WHEREAS, the Township Council of the Township of Toms River, adopted resolutions approving the transfer of monies to overpayment for the purpose of refund; and,

WHEREAS, said resolution inadvertently omitted certain names, block and lots, and/or amounts;

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 following resolutions be and the same are hereby corrected as follows:

RESO	NAME	BLOCK	LOT	YEAR	AMOUNT
RTC310272020.DOC		248	15	2020/3	\$2,505.09

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

NOVEMBER 10, 2020

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) , HAD DUPLICATE AND OR ERRONEOUS 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:*

NAME	BLOCK	LOT	Qual,Year	Amount
CALAVANO, CHRISTOPHER	442.04	10	2020/4	\$1,292.00
GHARIBIAN, MARTHA	410.04	4	2020/4	1,719.37
TOTALS:				\$3011.37

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
NOVEMBER 10, 2020**

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY HAD A COUNTY TAX BOARD APPAL, AND;

WHEREAS, the party or parties have shown proof of payment and/or have executed an affidavit for same, and;

WHEREAS, the party or parties have delivered to the municipality and executed voucher for same.

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

- 1. A refund shall be processed to party or parties to wit as follows:*

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
MCGRATH, THOMAS & SANDRA	719	487	2020/4	\$436.40

- 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
NOVEMBER 10, 2020**

WHEREAS, THE FOLLOWING PROPERTY IN THE TOWNSHIP OF TOMS RIVER HAS A TAX SALE CERTIFICATE NO. 20-00257 ISSUED AGAINST THE PROPERTY. THIS PROPERTY IS LOCATED AT 875 Egret Drive IN TOMS RIVER, AND;

WHEREAS, THIS PROPERTY WAS ERRONEOUSLY SOLD AT A TAX SALE ON OCTOBER 21, 2020 TO GSRAN-Z LLC , LLC Deposit Account

WHEREAS, THIS PROPERTY WAS PROTECTED BY BANKRUPTCY, THE LIENHOLDER MUST BE REFUNDED THEIR MONIES, AND THE LIEN CERTIFICATE 20-00257 BE CANCELLED 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. CERTIFICATE NUMBER 20-00257 BE CANCELLED**

2. TOWNSHIP CLERK SHALL SEND A COPY OF THIS RESOLUTION TO THE TOWNSHIP AUDITOR, TOWNSHIP CHIEF FINANCIAL OFFICER AND TAX COLLECTOR.

APPROVED AS TO CONTENT:

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST EXTENSION OF AN OPEN-ENDED, ONE (1) YEAR CONTRACT WITH CHEMUNG SUPPLY CORP, AND GARDEN STATE HIGHWAY PRODUCTS, INC., FOR THE SUPPLY OF TRAFFIC SIGN MATERIALS, EFFECTIVE DECEMBER 10, 2020 THROUGH DECEMBER 9, 2021

NOVEMBER 10, 2020

WHEREAS, resolution of the Township Council dated November 12, 2019, authorized the award of an open-ended contract for the Supply of Traffic Sign Materials to Chemung Supply Corp., and Garden State Highway Products, Inc., commencing December 10, 2019 through December 9, 2020, with the option to extend the contract for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, pursuant to N.J.S.A. 40:A11-15; 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 extension term, commencing December 10, 2020 through December 9, 2021

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

1. It hereby authorizes the first extension of the open-ended contract with Chemung Supply Corp., and Garden State Highway Products, Inc., for the Supply of Traffic Sign Materials, commencing December 10, 2020 through December 9, 2021.
2. This will be an open-ended contract extension with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The extension of this contract is subject to all the terms and conditions of the original contract award.
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 Dept.
- e) Chemung Supply Corp.
PO Box 527
Elmira, NY 14902
- f) Garden State Highway Products, Inc.
301 Riverside Drive
Millville, NJ 08332

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended, first one year extension of the contract with Chemung Supply Corp and Garden State Highway Products, Inc., 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 account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST EXTENSION OF AN OPEN-ENDED, ONE (1) YEAR CONTRACT WITH PESTMASTER SERVICES FOR PEST CONTROL SERVICES, EFFECTIVE DECEMBER 7, 2020 THROUGH DECEMBER 6, 2021

NOVEMBER 10, 2020

WHEREAS, resolution of the Township Council dated November 27, 2018, authorized the award of an open-ended contract for Pest Control Services to Pestmaster Services, commencing December 7, 2018 through December 6, 2020, with the option to extend the contract for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, pursuant to N.J.S.A. 40:A11-15; 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 extension term, commencing December 7, 2020 through December 6, 2021

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

1. It hereby authorizes the first extension of the open-ended contract with Pestmaster Services for Pest Control Services, commencing December 7, 2020 through December 6, 2021.

2. This will be an open-ended contract extension with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The extension of this contract is subject to all the terms and conditions of the original contract award.

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) Parks, Buildings & Grounds
- e) Pestmaster Services
114 Sawmill Road
Brick, NJ 08724

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended, first one year extension of the contract with Pestmaster Services, 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 account at that time.

Dated: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CHANGE ORDER NO. 1 TO THE EXISTING CONTRACT WITH PETERSON SERVICE COMPANY FOR PREVENTATIVE MAINTENANCE, INSTALLATION AND REPAIR SERVICES FOR HEATING, VENTING AND AIR CONDITIONING (HVAC) EQUIPMENT, VARIOUS TOWNSHIP BUILDINGS, IN ACCORDANCE WITH N.J.A.C. 5:30-11.1 ET SEQ., IN THE AMOUNT OF AN ADDITIONAL \$50,000.00 (20%) FOR PART B, FOR A NEW CONTRACT PRICE FOR PART B IN THE AMOUNT OF \$300,000.00, FOR A NEW OVERALL TOTAL CONTRACT PRICE OF \$338,551.32

NOVEMBER 10, 2020

WHEREAS, resolution of the Township Council dated October 23, 2018, authorized award of contract to Peterson Service Company, for Preventative Maintenance, Installation and Repair Services for Heating, Venting and Air Conditioning (HVAC) Equipment, Various Township Buildings, in accordance with N.J.A.C. 5:30-11.1 et seq., commencing October 23, 2018 through October 22, 2021, for a total not to exceed contract price of \$288,551.32 (\$38,551.32 for Part A, and \$250,000 for Parts B & C over three (3) years); and

WHEREAS, the Departments of Purchasing and Parks, Buildings and Grounds, have determined that it is in the best interest of the Township to increase Part B of this contract, by an additional amount of \$50,000.00 (20%), making the new contract price for Part B - \$300,000.00, for a new overall total contract price of \$338,551.32;

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 – with Peterson Service Company for Preventative Maintenance, Installation and Repair Services for Heating, Venting and Air Conditioning (HVAC) Equipment, Various Township Buildings, to wit:

DESCRIPTION OF CHANGE:

Authorize Change Order No. 1 for additional work needed by the Township, for Part B of the contract.

<u>REDUCTION</u>	<u>ADDITIONAL</u>	
Total Reduction This C.O.	X	X
Total Extras This C.O.	X	X
Total Supplementary This C.O.	\$50,000.00	X
Total This C.O.	\$50,000.00	X
Previous Change Orders	X	X
Total Change Orders to Date	\$ 50,000.00	X
Net Change in Contract (Part B)	\$ 50,000.00	X
ORIGINAL CONTRACT BID PRICE		\$288,551.32
NEW OVERALL CONTRACT PRICE		\$338,551.32

be and the same is hereby ratified and confirmed.

2. The funds for the additional amount of \$50,000.00, will be open-ended, with funds being encumbered each time an order is placed, contingent upon availability 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.

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) Parks, Buildings & Grounds
- c) Township Attorney
- d) Purchasing Division
- e) Peterson Service Company
234 Route 70
Medford, NJ 08005

CERTIFICATION

THIS IS TO CERTIFY that the funds for Change Order No. 1, with Peterson Service Company, in the additional amount of \$50,000.00, for Part B of the contract, will be open-ended with funds being encumbered each time an order is placed, contingent upon availability in the applicable municipal budget.

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: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL EXTENSION OF AN OPEN-ENDED, ONE (1) YEAR CONTRACT WITH CORE MECHANICAL, INC., FOR PREVENTATIVE MAINTENANCE, INSTALLATION AND REPAIR SERVICES FOR HEATING, VENTING AND AIR CONDITIONING (HVAC) EQUIPMENT, WINDING RIVER SKATING CENTER, IN THE AMOUNT NOT TO EXCEED \$83,000.00 FOR PARTS B & C, NEW CONTRACT TERM SHALL COMMENCE ON NOVEMBER 10, 2020 THROUGH NOVEMBER 9, 2021

NOVEMBER 10, 2020

WHEREAS, resolution of the Township Council dated October 23, 2018, authorized the award of a contract for Preventative Maintenance, Installation and Repair Services for Heating, Venting and Air conditioning (HVAC) Equipment, Winding River Skating Center to Core Mechanical, Inc., as lowest overall responsible bidder meeting all the bid specifications, for a total not to exceed contract price of \$300,040.00, (\$50,040.00 - Part A, and \$250,000.00 - Parts B & C over three (3) years), cost of refrigerant R22 - \$45.00 per pound and 410A - \$18.00 per pound, effective October 23, 2018 through October 22, 2021, with the option to extend the contract for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, pursuant to N.J.S.A. 40:A11-15; and

WHEREAS, the Township authorized the first extension of the contract on June 9, 2020, in an amount not to exceed \$83,000.00 for Parts B and C; and

WHEREAS, the Township has determined that it is in the best interest to extend the contract for the second and final one (1) year extension of the contract, in the amount not to exceed \$83,000.00, for Parts B and C, consistent with the original contract award; and

WHEREAS, the new contract term shall be effective from November 10, 2020 through November 9, 2021; and

WHEREAS, Part A will remain the same. Preventative Maintenance will be open-ended with funds being certified upon use;

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 second and final one (1) year extension of the existing contract with Core Mechanical, Inc., for Preventative Maintenance, Installation and Repair Services for Heating, Venting and Air Conditioning (HVAC) Equipment, Winding River Skating Center, for a one (1) year term, in the amount not to exceed \$83,000.00 for Parts B & C, consistent with the original contract award. The new contract term shall commence November 10, 2020 through November 9, 2021.

2. This will be an open-ended contract extension with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The extension of this contract is subject to all the terms and conditions of the original contract award.

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) Parks, Buildings & Grounds
- e) Recreation Department
- f) Winding River Skating Center
- g) Core Mechanical, Inc.
7905 Browning Road
Suite 110
Pennsauken, NJ 08109

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended, second and final one (1) year extension of the contract with Core Mechanical, Inc., in the amount not to exceed \$83,000.00 for Parts B & C, 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 account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CLOSEOUT OF THE GILFORD PARK BOAT RAMP PROJECT WITH R. KREMER & SON MARINE CONTRACTORS, LLC, RELEASING PERFORMANCE BOND, ACCEPTANCE OF MAINTENANCE BOND, AUTHORIZING THE RELEASE OF RETAINAGE, AND FINAL PAYMENT TO CONTRACTOR IN THE AMOUNT OF \$26,043.01

NOVEMBER 10, 2020

WHEREAS, resolution of the Township Council dated January 23, 2019, awarded a contract to R. Kremer & Son Marine Contractors, LLC, as sole bidder meeting all the bid specifications, for the Gilford Park Boat Ramp Project, in the maximum amount not to exceed \$998,107.70; and

WHEREAS, resolution of the Township Council dated October 8, 2020 authorized Change Order No. 1 – Final – with R. Kremer & Son Marine Contractors, LLC, for the Gilford Park Boat Ramp Project, for an additional amount of \$3,147.75, for a total project amount of \$1,1001,255.45; and

WHEREAS, the contractor retained for the Gilford Park Boat Ramp Project has submitted the required documents in connection with the closeout of this project; and

WHEREAS, it is necessary to take certain action with respect to documents that are required to be completed before the project can be closed out and payment processed, as follows:

a) Original Maintenance Bond No. 49293 with R. Kremer & Son Marine Contractors, LLC, as Principal and The Service Insurance Company, Inc., as Surety.

b) Contractor's Application for Payment in the amount of \$26,043.01;

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

1. It hereby authorizes the appropriate Township Officials of the Township of Toms River to take whatever action is necessary to process the aforesaid documentation to close out the Gilford Park Boat Ramp Project, releasing Performance Bond, accepting Maintenance Bond, and authorizing the release of retainage and final payment to contractor, R. Kremer & Son Marine Contractors, LLC, in the amount of \$26,043.01, and funds are available in Account No. X-04- -238-003. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Chief Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) R. Kremer & Son Marine Contractors, LLC
253 Drum Point Road
Brick, NJ 08723

CERTIFICATION

THIS IS TO CERTIFY that the funds for the release of retainage and final payment to R. Kremer & Son Marine Contractors, LLC, for the closeout of the Gilford Park Boat Ramp Project, in the amount of \$26,043.01, are available in Account No. X-04- -238-003.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN,**

TOWNSHIP ENGINEER, TO EXECUTE AN APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION FOR THE BARRIER ISLAND PICKLEBALL COURT PROJECT, AND AUTHORIZING PAYMENT OF THE REQUIRED FEE IN THE AMOUNT OF \$1,620.00

NOVEMBER 10, 2020

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

1. Robert J. Chankalian, Township Engineer, is authorized to execute an Application for Soil Erosion and Sediment Control Plan Certification for the Barrier Island Pickleball Court Project.

2. Payment of the required fee in the amount of \$1,620.00 is 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. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Township Attorney
- b) Chief Financial Officer
- c) Township Engineer
- d) Purchasing Division
- e) Ocean County Soil Conservation District
714 Lacey Road
Forked River, NJ 08731
- f) CME Associates
1460 Route 9 South
Howell, NJ 07731
Attn: Stephan E. LeMoine III, LLA

CERTIFICATION

THIS IS TO CERTIFY that the funds for the fee for the Application for Soil Erosion and Sediment Control Plan Certification for the Barrier Island Pickleball Court Project, in the total maximum amount of \$1,620.00, are available in Account No. X-04-46-732-019.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CONTRACT WITH CHAS. S. WINNER, INC. D/B/A WINNER FORD, FOR THE PURCHASE OF TWO (2) REPLACEMENT FORD F550 SWITCH-N-GO TRUCKS WITH ACCESSORIES FOR PARKS, BUILDINGS & GROUNDS, UTILIZING THE OCEAN COUNTY COOPERATIVE PRICING SYSTEM, BID NO. B2020-81, IN THE MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$204,844.00

NOVEMBER 10, 2020

WHEREAS, pursuant to bids received, a contract was awarded by the County of Ocean, as Lead Agency for the Ocean County Cooperative Pricing System, Contract Bid No. B2020-81, of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11(6); and

WHEREAS, the aforementioned contract was awarded to Chas. S. Winner, Inc. d/b/a Winner Ford;

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

1. It hereby awards a contract to Chas. S. Winner, Inc. d/b/a Winner Ford, for the Purchase of Two (2) Replacement Ford F550 Switch-N-Go Trucks with Accessories, for Parks, Buildings & Grounds, utilizing the Ocean County Cooperative Pricing System, Bid No. B2020-81, for a total maximum contract amount not to exceed \$204,844.00, as follows:

OCEAN COUNTY COOP. BID NO. B2020-81

Chas. S. Winner, Inc.
d/b/a Winner Ford
250 Haddonfield Berlin Road
Cherry Hill, NJ 08034

OPTIONS	ITEM	QTY.	PRICE	TOTAL
	20' F550 Switch and Go Chassis	2	\$ 73,907.00	\$147,814.00
1a	Cab Upgrade	2	\$ 2,810.00	\$ 5,620.00
1z	Plow	2	\$ 5,950.00	\$ 11,900.00
1s	Light Package	2	\$ 1,230.00	\$ 2,460.00
1o	Box Highside	2	\$ 4,850.00	\$ 9,700.00
1p	Split Door	2	\$ 250.00	\$ 500.00
1q	Chipper Top	2	\$ 3,400.00	\$ 6,800.00
1n	Medium Drop Box	2	\$ 4,700.00	\$ 9,400.00
1g	11' Platform Body	1	\$ 3,950.00	\$ 3,950.00
1c	11' Dump Body	1	\$ 5,400.00	\$ 5,400.00
1d	Folding Sides	1	\$ 1,300.00	\$ 1,300.00
TOTAL:				\$204,844.00

2. Funds for this contract in the amount not to exceed \$204,844.00, are available in Account No. X-04-46-732-005. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of this contract is subject to all terms and conditions of the bid specifications and the Master Contract as awarded by the Ocean County Cooperative Pricing System Contract Bid #B2020-81.

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) Parks, Buildings & Grounds
- e) Chas. S. Winner, Inc.
d/b/a Winner Ford
250 Haddonfield Berlin Road
Cherry Hill, NJ 08034

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract with Chas. S. Winner, Inc. d/b/a Winner Ford, in the total contract amount not to exceed \$204,844.00, are available in Account No. X-04-46-732-005.

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: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AMENDMENT TO RESOLUTION DATED DECEMBER 23, 2019, WHICH AUTHORIZED THE TOWNSHIP TO ENTER INTO AN AGREEMENT WITH JOHN LIONETTI ASSOCIATES D/B/A LORCO PETROLEUM SERVICES, FOR THE COLLECTION AND RECYCLING OF WASTE OIL IN NEED OF DISPOSAL RECEIVED AT THE MUNICIPAL RECYCLING CENTER, PUBLIC WORKS GARAGE, POLICE GARAGE AND BEY LEA MAINTENANCE SHOP, IN NEED OF DISPOSAL, IN THE MAXIMUM AMOUNT OF \$5,000.00, IN ORDER TO INCREASE THE AMOUNT OF THE CONTRACT BY AN ADDITIONAL \$2,500.00, FOR AN AMENDED TOTAL MAXIMUM AMOUNT OF CONTRACT NOT TO EXCEED \$7,500.00

NOVEMBER 10, 2020

WHEREAS, resolution of the Township Council dated December 23, 2019, authorized the Township to enter into an agreement with John Lionetti Associates d/b/a Lorco Petroleum Services, for the Collection and Recycling of Waste Oil In Need of Disposal Received at the Municipal Recycling Center, Public Works Garage, Police Garage, and Bey Lea Maintenance Shop, in need of disposal, in the maximum amount of \$5,000.00, payable at the current price per gallon, for the term commencing January 1, 2020 through December 31, 2020; and

WHEREAS, the Department of Public Works has requested authorization to increase the amount of the contract with John Lionetti Associates d/b/a Lorco Petroleum Services, due to purchases which exceeded the maximum amount of the original contract of \$5,000.00, by an additional \$2,500.00, for a new total maximum amount of contract not to exceed \$7,500.00 through December 31, 2020; and

WHEREAS, the Township is in need of the Collection and Recycling of Waste Oil In Need of Disposal Received at the Municipal Recycling Center, Public Works Garage, Police Garage, and Bey Lea Maintenance Shop; and

WHEREAS, certain recycling laws have been put into effect within the State of New Jersey, which have been imposed on all municipalities by the Department of Environmental Protection; 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 authorizes the Mayor to execute and the Township Clerk to attest to an amendment to the contract with John Lionetti Associates d/b/a Lorco Petroleum Services, for the Collection and Recycling of Waste Oil In Need of Disposal Received at the Municipal Recycling Center, Public Works Garage, Police Garage, and Bey Lea Maintenance Shop, through December 31, 2020, for an additional amount of \$2,500.00, for an amended total maximum amount not to exceed \$7,500.00. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability in the applicable municipal budget.

2. All other terms and conditions of the resolution dated December 23, 2019, are to remain in full force and effect.

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

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

- a) Township Attorney
- b) Public Works Dept.
- c) Chief Financial Officer
- d) Public Works Department, Attn.: Nadeem Siddiqui
- e) Purchasing Division
- f) Police Department
- g) Bey Lea Maintenance Shop
- h) Recreation Department
- i) John Lionetti Associates
d/b/a Lorco Petroleum Services
450 South Front Street
Elizabeth, NJ 07202

CERTIFICATION

THIS IS TO CERTIFY that the funds for the amended contract with John Lionetti Associates d/b/a Lorco Petroleum Services, Inc., in the additional amount of \$1,100.00, are available Account No. 0-01- -U24-412. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon availability in the applicable municipal budget. Original amount of contract - \$5,000.00. Total amended maximum amount of contract - \$6,100.00.

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

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: November 10, 2020

RESOLUTION TO TRANSFER FUNDS November 10, 2020

WHEREAS, N.J.S.A. 40A:4-58 permits the Township of Toms River to transfer funds between 2020 Budget Appropriations after November 1, 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, that the following list of 2020 Budget Appropriations Transfers are hereby approved:

CURRENT FUND:

Transfer From: LEGAL LINE ITEM	Amount
Postage	\$ 20,000
Recycling S/W	30,000
	<hr/>
Total	<u>\$ 50,000</u>

Transfer To: LEGAL LINE ITEM	Amount
Health Benefit Waiver	\$ 20,000
Vehicle Maintenance S/W	30,000
	<hr/>
Total	<u>\$ 50,000</u>

GOLF COURSE UTILITY:

Transfer From: LEGAL LINE ITEM	Amount
Other Expenses	<u>\$ 25,000</u>
Total	<u>\$ 25,000</u>

Transfer To: LEGAL LINE ITEM	Amount
Salaries & Wages	<u>\$ 25,000</u>
Total	<u>\$ 25,000</u>

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a. Business Administrator
- b. Attorney
- c. Auditor
- d. Chief Financial Officer

Approved as to Content

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN ON-LINE AUCTION OF SURPLUS TOWNSHIP PERSONAL PROPERTY AND/OR TANGIBLE PERSONAL PROPERTY FOUND OR RECOVERED BY THE TOMS RIVER POLICE DEPARTMENT, NO LONGER NEEDED FOR PUBLIC USE, USING THE EXISTING CONTRACT WITH USGOVBID AUCTION LIQUIDATION SERVICES

NOVEMBER 10, 2020

WHEREAS, the Township of Toms River is the owner of vehicles and surplus equipment which are no longer needed for public use; and

WHEREAS, the Township of Toms River may also have tangible personal property found or recovered by the Toms River Police Department; and

WHEREAS, the Purchasing Division is requesting authorization to sell the equipment attached herein as Schedule "A", and made a part hereof, pursuant to N.J.S.A. 40A:11-36 and 40A:14-157 to the highest bidder; and

WHEREAS, on February 11, 2020, the Township approved a contract with USGovBid Auction Liquidation Services, a full service New Jersey State approved vendor, to perform the online auction services at a fee of 6.5% of the proceeds and a 2.5% Buyer's Internet Service Fee which remains in effect;

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 On-Line Auction of Surplus Township Personal Property and/or Tangible Personal Property Found or Recovered by the Toms River Police Department, no longer needed for public use, using the existing contract with USGovBid Auction Liquidation Services, a full-service New Jersey State approved vendor, to perform the online auction services at a fee of 6.5% of the proceeds and a 2.5% Buyer's Internet Service Fee.

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) Police Department
- e) Public Works Department
- f) Division of Parks, Buildings & Grounds
- g) Youth Services
- h) Animal Control
- i) USGovBid Auction Liquidation Services
P.O. Box 1216
Eatontown, N.J. 07724
- j) USGovBid Auction Liquidation Services
1 Industrial Way West
Bldg. A
Eatontown, N.J. 07724
- k) Department of Community Affairs
Division of Local Government Services
Attn: Director
P.O. Box 803
Trenton, N.J. 08625-0803

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF SERVER AND STORAGE REFRESH FOR THE INFORMATION TECHNOLOGY DEPARTMENT, FROM CDW-G INC., UTILIZING ESCNJ COOPERATIVE CONTRACT #18/19-03 AND STATE

CONTRACTS #40116 AND #89849, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$597,428.42

NOVEMBER 10, 2020

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

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

WHEREAS, the Purchasing Division is requesting authorization to purchase Server and Storage Refresh for the Information Technology Department, utilizing Educational Services Commission of New Jersey, Contract #18/19-03 and State Contracts #40116 and #89849, in the total contract amount not to exceed \$597,428.42, from the following vendor:

CDW-G INC
230 North Milwaukee
Ave
Vernon Hills, IL 60061

ESCNJ # 18/19-03 Technology Supplies & Services
 State Contract 40116 Computer Equipment, Peripherals & Related Services State Contract
 89849 Software License & Related Services

ESCNJ # 18/19-03 - Battery Backup Services

<u>Item #</u>	<u>Description</u>	<u>Quantit</u> <u>y</u>	<u>Unit Price</u>	<u>Ext Price</u>
WADVPLN1P-SY-07	Schneider Electric Critical Power & Cooling Services Advantage Plan APC Modular Battery Replacement Service	1	\$1,375.00	\$1,375.00
WMBRS6-MB-T5	APC Modular Battery Replacement Service Scheduling Upgrade	1	\$3,700.00	\$3,700.00
WUPGMBRS7X24-MB-00	APC Modular Battery Replacement Service Scheduling Upgrade	1	\$430.00	\$430.00
			\$17,950.0	\$17,950.0
WMPRS5-MP-45	Modernization Service	1	0	0
WUPGMPRS7X24-MP-00	APC Scheduling Upgrade to 7x24 for MPRS	1	\$565.00	\$565.00
WMBRS4-MB-T4	APC Modular Battery Replacement Service - Install	1	\$7,550.00	\$7,550.00
WUPGMBRS7x24-MB-00	APC Modular Battery Replacement Service Scheduling Upgrade to 7x24	1	\$430.00	\$430.00
				\$32,000.0
	Battery Backup Subtotal:			0

ESCNJ # 18/19-03 - Installation Services

Technician On-Site Labor Service	302.65	\$200.00	\$60,530.0	0
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State Contract # 40116 - Hewlett Packard Hardware

<u>Item #</u>	<u>Description</u>	<u>Quantit</u> <u>y</u>	<u>Unit Price</u>	<u>Ext Price</u>
P19766-B21	HPE ProLiant DL360 Gen10 rack	6	\$753.58	\$4,521.48
P24481-L21	Intel Xeon Gold 6226R / 2.9 GHz Processor	6	\$1,633.94	\$9,803.64
P24481-B21	Intel Xeon Gold 6226R / 2.9 GHz Processor	6	\$1,633.94	\$9,803.64
P00924-B21	HPE SmartMemory - DDR4 - 32GB	72	\$387.45	\$27,896.40
P05928-B21	HPE Read Intensive - Solid State Drive - 480 GB	12	\$283.70	\$3,404.40

P9D94A	HPE StoreFabric - 16GB Dual Port Fiber Channel Host Adapter	6	\$1,169.79	\$7,018.74
811546-B21	HPE Ethernet - 1GB - 4-Port Adapter	6	\$236.51	\$1,419.06
P01366-B21	HPE 96W Smart Storage Li-Ion Battery	6	\$59.45	\$356.70
804331-B21	Hpe Smart Array P408I-A SR Gen10 Storage Controller	6	\$279.19	\$1,675.14
665240-B21	HPE 366FLR Network Adapter	6	\$124.01	\$744.06
865414-B21	HPE 800 Watt Power Supply - hot Plug	12	\$178.07	\$2,136.84
BD505A	HPE Integrated Lights-Out Advanced 3 Year License	6	\$273.90	\$1,643.40
874543-B21	HPE Small Form Factor Easy Install Rail Kit	6	\$46.57	\$279.42
H7J34A5#R2M	HPE Foundation Care Software Support 24x7	6	\$41.73	\$250.38
H7J34A5#WAG	HPE Foundation Care 24x7 Extended 5 Year Service	6	\$2,815.07	\$16,890.42
Q8H39A	HPE nimble Storage Adaptive Flash HF40 Base Array - Hard Drive	2	\$28,399.5	\$56,799.00
Q8B56B	HPE Nimble Storage HF40/60 Hybrid 126TB FIO HDD Bundle	2	\$40,500.0	\$81,000.00
Q8B64B	HPE Nimble Storage Cashe Bundle 1.92 TB (6 Pack)	2	\$29,409.7	\$58,819.50
Q8B90B	HPE Nimble Storage 2-Port Adapter Kit	2	\$6,300.00	\$12,600.00
Q8G27B	HPE Nimble Storage NOS Default Software	2	\$0.00	\$0.00
Q8J27A	HPE Nimble Storage C13 to C14 FIO Power Cord	4	\$0.00	\$0.00
R3P91A	HPE Nimble Storage AF/HF Array Standard Tracking	2	\$0.00	\$0.00
HT6Z0A5#ZFT	HPE Nimble Storage Foundation Care 4H Parts Exchange Support	2	\$10,194.8	\$20,389.60
HT6Z0A5#ZFB	HPE Nimble Storage Foundation Care 4H Parts Exchange Support	2	\$6,596.80	\$13,193.60
HT6Z0A5#ZFG	HPE Nimble Storage Foundation Care 4H Parts Exchange Support	2	\$10,879.4	\$21,758.80
HT6Z0A5#ZG1	HPE Nimble Storage Foundation Care 4H Parts Exchange Support	2	\$3,229.10	\$6,458.20
AJ716B	HPE B-Series SFP+ Transceiver Module - 8GB Fibre Channel	12	\$140.00	\$1,680.00
AJ836A	HPE 5 m Network Cable	12	\$75.00	\$900.00
N201-015-BK	Tripp Lite 15 ft Cat6 Gigabit Snagless Molded Patch Cable	60	\$7.60	\$456.00
				\$361,898.4

HP Subtotal: 2

State Contract # 89849 - Software

<u>Item #</u>	<u>Description</u>	<u>Quantit</u> <u>y</u>	<u>Unit Price</u>	<u>Ext Price</u>
VS7-ENT-EPL-UG-F-L3	VMware vSphere Enterprise Plus Upgrade License - 1 Processor	12	\$525.00	\$6,300.00
VS7-EPL-P-SSS-F	VMware Support and Subscription Production - Technical Support	60	\$715.00	\$42,900.00
VC-SRM8-25SE-UG-F-L3	FED VPP L3 VMW SRM 8 ENT 25 VM VMware Support and Subscription	2	\$6,100.00	\$12,200.00
VC-SRM8-25E-PSSS-F	Production - Technical Support	10	\$2,540.00	\$25,400.00
VC-SRM8-25E-F-L3	Vmware Site Recovery Manager Enterprise License	2	\$9,150.00	\$18,300.00
VC-SRM8-25E-PSSS-F	VMware Support and Subscription Production - Technical Support	10	\$2,540.00	\$25,400.00
VCS7-STD-P-SSS-C-R	VMware Support and Subscription Production - Technical Support (Renewal)	2	\$6,250.00	\$12,500.00
Software Subtotal:				\$143,000.0

0
\$597,428.4
Total: 2

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 Server and Storage Refresh for the Information Technology Department, from CDW-G Inc., in the total contract amount not to exceed \$597,428.42, utilizing Educational Services Commission of New Jersey, Contract #18/19-03 and State Contracts #40116 and #89849, as stated above.

2. Funds in the amount of \$597,428.42 are available in the following accounts:

Account No. X-04-46-732-011	\$ 443,098.42
Account No. X-04- - 238-009	\$ 154,330.00

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) IT Services
- e) CDW-G Inc.
230 North Milwaukee Ave.
Vernon Hills, IL 60061

CERTIFICATION

THIS IS TO CERTIFY that the funds for the contract for Server and Storage Refresh from CDW-G Inc. in the total contract amount not to exceed \$597,428.42, are available in the following accounts:

Account No. X-04-46-732-011	\$443,098.42
Account No. X-04- -238-009	\$154,330.00

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 P. DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF OPEN-ENDED CONTRACTS FOR THE SUPPLY OF MOTOR OILS, ANTIFREEZE, GREASES AND LUBRICANTS NEGOTIATED ITEM NUMBERS 6D, 6E AND 29A, TO TAYLOR OIL CO. INC. AND PETRO CHOICE

NOVEMBER 10, 2020

WHEREAS, the Division of Purchasing requests authorization to award contracts for Supply of Motor Oils, Antifreeze, Greases and Lubricants Negotiated Item Numbers 6d, 6e and 29a; and

WHEREAS, bids were first received from the following vendors on July 23, 2020, and Item Nos. 6d, 6e, 20a, 29a, 30a and 31a received no bids; and

WHEREAS, the same items above were rebid on September 30, 2020, and received no bids; and

WHEREAS, based on NJSA 40A:11-5(3)(a) prices were negotiated with Taylor Oil Co. Inc., Petro Choice and Prime Lube Inc. All of Prime Lube Inc.'s negotiated prices were rejected for having a minimum order requirement; and

WHEREAS, items shall be awarded as follows:

Taylor Oil Co. Inc. – Item Nos. 6d and 6e.

Petro Choice, LLC – Item No. 29a.

WHEREAS, Item Nos. 20a, 30a and 31a were rejected due to Prime Lube Inc. being the sole bidder for these items. Quotes will be obtained prior to their 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 open-ended contracts for the Supply of Antifreeze, Motor Oils, Greases and Lubricants Negotiated Items, as follows:

Taylor Oil Co. Inc. – Item Nos. 6d and 6e.

Petro Choice, LLC – Item No. 29a.

2. Item Nos. 20a, 30a and 31a were rejected due to Prime Lube Inc. being the sole bidder for these items. Quotes will be obtained prior to their purchase.

3. Term of Contracts shall be retroactive to August 22, 2020, through August 21, 2021. 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.

4. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of these contracts is subject to all the terms and conditions of the bid specifications.

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) All Departments
- i) All aforementioned bidders

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended negotiated contracts awarded to Taylor Oil Co. Inc. and Petro Choice for the Supply of Motor Oils, Antifreeze, Greases and Lubricants, 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 accounts at that time.

Dated: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 787, LOT 109 (513 Parkwood Avenue)

November 10, 2020

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

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Surety Bond #483935S in the amount of \$8,010.00 is hereby released;
- 2) Cash Bond in the amount of \$890.00 is hereby released;

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Emad Abdou
2401 7th Avenue
Toms River, NJ 08753

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 ONE (1) NEW AND UNUSED REPLACEMENT GRAPPLE TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

NOVEMBER 10, 2020

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

ONE (1) NEW AND UNUSED REPLACEMENT GRAPPLE TRUCK 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.

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

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

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 ONE (1) NEW AND UNUSED REPLACEMENT WHITE GOODS TRUCK FOR THE DEPARTMENT OF PUBLIC WORKS

NOVEMBER 10, 2020

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

ONE (1) NEW AND UNUSED REPLACEMENT WHITE GOODS TRUCK 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.

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

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

CORRECTING RESOLUTION AUTHORIZING THE PERSON-TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE 1507-33-012-006 FROM MALBAR, INC. TO B2OPCO TOMS RIVER LLC. WITH NOVEMBER 11, 2020 EFFECTIVE DATE

NOVEMBER 10, 2020

WHEREAS, an application has been filed for **PERSON-TO-PERSON TRANSFER** for Plenary Retail Consumption License Number **1507-33-012-007**, heretofore issued to Malbar Inc. 1250 Hooper Ave Toms River, NJ 08753 and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, funding sources have been disclosed and the license has been properly renewed for the current license term; and

WHEREAS, the effective date is to be November 11, 2020; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated

thereunder, as well as pertinent local ordinance and conditions consistent with Title 33 and has disclosed the source of funds for said 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 does authorize the **Person-To-Person Transfer** of Plenary Retail Consumption Liquor License Number 1507-33-012-006 from **Malbar, Inc. To B2OPCO Toms River LLC With effective date of November 11, 2020.** with a mailing address of: B2OPCO Toms River LLC. 1250 Hooper Avenue, Toms River, New Jersey, 08753.

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

- a) Police Department
- b) Chief Financial Officer
- c) Township Attorney
- d) NJ Division of Taxation
PO Box 999
Trenton, NJ 08646-0999
- e) B2OPCO Toms River LLC
1250 Hooper Ave
Toms River, NJ 08753

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

NOVEMBER 10, 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 18, 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 18, 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#
2002	GMC	1GKDT13S822433542
2009	CHEVY	1GNFK23009R268204
2009	NISSAN	JN8AZ18W29W101404

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

YEAR	MAKE	VIN#
2007	HONDA	1HGCM56137A220415
2006	HYUNDAI	5NPEU46F26H006701
2007	FORD	1FTRW12W47KC15795

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 08755

**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 18, 2020 at 11 a.m. at Price Rite Towing and Wednesday, November 18, 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#
2002	GMC	1GKDT13S822433542
2009	CHEVY	1GNFK23009R268204
2009	NISSAN	JN8AZ18W29W101404

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

YEAR	MAKE	VIN#
2007	HONDA	1HGCM56137A220415
2006	HYUNDAI	5NPEU46F26H006701
2007	FORD	1FTRW12W47KC15795

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF BULK ORDERS OF DISPOSABLE AND N95 MASKS FROM ZOOILING IMPORTS LLC D/B/A ZLEDLIGHTING FOR THE OFFICE OF EMERGENCY MANAGEMENT, IN THE AMOUNT OF \$38,000.00 UP TO AN AMOUNT NOT TO EXCEED THE BID THRESHOLD OF \$44,000.00 (PURCHASES TO BE SUBMITTED FOR CARES REIMBURSEMENT)

NOVEMBER 10, 2020

WHEREAS, the Purchasing Division has requested the Township to authorize the Purchase of Bulk Orders of Disposable and N95 Masks 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, for a previous purchase, 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 Bulk Orders of Disposable and N95 Masks 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 \$38,000.00 up to an amount not to exceed the bid threshold of \$44,000.00 to be submitted for CARES reimbursement.

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 Bulk Orders of Disposable and N95 Masks for the Office of Emergency Management from Zooling Imports LLC D/B/A ZLEDLighting in the amount of \$38,000.00 up to an amount not to exceed the bid threshold of \$44,000.00, to be submitted for CARES reimbursement, 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: November 10, 2020

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM

NOVEMBER 10, 2020

WHEREAS, the New Jersey Department of Transportation offers federal Transportation Alternatives Set Aside Program funding to projects that foster more livable communities and promote alternative modes of transportation such as biking and walking; and

WHEREAS, special consideration is given to communities that are Transit Villages, distressed communities and municipalities that have adopted Complete Streets policies;

WHEREAS, this program is available to all counties and municipalities in the State of New Jersey; and

WHEREAS, this grant program does not require matching funds; and

WHEREAS, the Township of Toms River carefully considers grant programs that assist the Township in achieving projects and programs that are priorities for the community; and

WHEREAS, the Township of Toms River intends to submit a Main Street Streetscape Improvement Project Application for the downtown section of its Township to implement streetscape improvements recommended in the Downtown Toms River Vision Plan and Master Plan which is incorporated in the 2017 Toms River Master Plan as Appendix E and Downtown Parking Study; and

WHEREAS, the Downtown Toms River Vision Plan and Master Plan recommendations include pedestrian scale street lighting and the downtown wishes to create a cohesive appearance by utilizing a similar light that is found on Washington Street with room for banners and holiday lights for events; and

WHEREAS, the study also recommends street furniture, installation of bike racks to encourage alternative transportation, replacement of damaged sidewalks, ADA improvements for crossings, and replacement of damaged or missing street trees; and

WHEREAS, the Township has agreed to own and maintain the proposed street improvements to be located in the Washington Street Road Right of Way between Robbins Street and Main Street and Main Street Road Right of Way from Lien Street to Water Street, specifically for areas located from the curb line to the boundary lines of adjacent businesses only; and

WHEREAS, the Transportation Alternatives Set Aside grant requires the Township to designate a responsible charge, which must be a municipal staff member; and

WHEREAS, the Transportation Alternatives Set Aside grant requires a maintenance commitment from the Township for all TAP funded improvements for the useful life of the project; and

WHEREAS, the Township is proposing ownership and maintenance certification for all proposed Transportation Alternatives Set Aside improvements located on Township road rights of way for the useful life of the project; and

WHEREAS, the Township will seek permission from the County to utilize a portion of Washington Street Road Right of Way, and will provide assurances to the County that the Township will own and maintain the proposed improvements for the useful life of the project; and

WHEREAS, the Township will own and maintain any improvements proposed within the State Road Right of Way for the useful life of the project, and seek all approvals as required before proceeding with construction;

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 formally approves the grant application for the above stated project in an amount not to exceed \$1,500,000.

2. It hereby authorizes the Mayor and the Division of Community Development to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Township of Toms River.

3. It hereby authorizes David G. Roberts, Township Planner, to serve as Responsible Charge and Robert Hudak, Assistant Township Planner to serve as the Assistant Responsible Charge.

4. The Mayor is authorized to execute and the Township Clerk to attest to the grant contract on behalf of the Township of Toms River, and that the Mayor's signature constitutes acceptance of the terms and conditions.

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) Township Planner
- g) Township Engineer
- h) Assistant Township Planner
- i) NJ Department of Transportation
James M. Rutala Associates, LLC
717 River Drive
Linwood, NJ 08221
Attn: James M. Rutala, PP, AICP, MBA

REPORTS

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

	2020	2019
Bey Lea Golf Course – October	\$139,304.51	\$81,683.13
Bey Lea Golf Course – YTD through October	\$1,334,061.97	\$1,128,283.63
Winding River Ice Rink – October	\$49,320.01	\$110,541.00
Winding River Ice Rink – YTD through October	\$438,464.51	\$700,416.62
Building Permits - October	\$216,397.00	\$248,195.00
Building Permits – YTD through October	\$2,147,253.00	\$2,216,302.00

APPROVAL OF BILLS

Council President Maruca asked for a report on the bills.

The Bill List, dated **November 5, 2020** was approved on motion by Council Member Kopp, seconded by Council Member Huryk, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent. The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member Geoghegan - None

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

Purchase Order 20-05601, payable to NJ MVC Lease Program in the amount of \$3,913.00.

Council Member Huryk - None

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

Purchase Order 20-05475, payable to Berkeley Township in the amount of \$130.00.

Purchase Order 20-05465, payable to Borough of South Toms River in the amount of \$633.00.

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

Purchase Order 20-03018, payable to Preferred Behavioral Health in the amount of \$4,992.12.

Council Member Rodrick – Absent

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

Purchase Order 20-05601, payable to Magistrate Salaries in the amount of \$6,549.48.

NOTE:

Councilman Kopp questioned if Councilman Rodrick paid his legal fee regarding Kevin Riordan to finance? Answer was no, proposing Council Member Rodrick have to refund the taxpayers for his political stunts and vote on bill he has made for Toms River taxpayers.

A motion was made by Council Member Kopp 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 absent, to approve the following **purchase order 20-05129 to be table to the next Council Meeting November 24, 2020.**

ELECTED OFFICIALS COMMENTS

Mayor Hill thanked Officer John Sullivan for his service to Toms River Township, as he is leaving for Brick Township; Cub Pack 92 cleaned debris at a cemetery with history lesson by Township Historian Mark Mutter; Food Distribution this Friday; COVID updates, and comments on Veterans Day.

Council Member Huryk spoke regarding Angelic Health opening on Water Street; Thanked Board of Elections and Toms River office for their hard work on this election. Congratulations to Andy Kim on his re-election, and promise to work also in a bipartisan fashion.

Council Member Kopp congratulated Shut Up and Eat for APP award, and Business Improvement District is asking for volunteer to help putting up snowflakes.

Council Member Lotano spoke regarding scarecrow walk update, and holiday tree lighting is cancelled but it is still on for December 4th.

Council Member Turnbach congratulations to Councilman Lotano's son who helped create winning scarecrow; Code Blue Updates – run from November to March.

Council Member Geoghegan had no comments.

Council President Maruca congratulated Officer John Sullivan and wished him all the best of luck in Brick; on November 14 Toms River Police Department 11 am – 2 p.m. – signs for sale saying “support Toms River Police Department”; Downtown dining continues thru November 28th.

PUBLIC COMMENTS

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

Art Anderson, 12 Park Street, thanked the Council Members for overview for explanations of resolutions.

No further comments from the public appearing, a motion was made by Council Member Huryk, seconded by Council Member Lotano, and carried to at 6:46 p.m. to close public comment.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach and carried to enter into a private Executive Session at 6:47 p.m.

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

RESOLUTION

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
Attorney Client Privilege
Contract Negotiations

3. The following specific topics were announced.
 1. Executive Session Minutes: October 13, 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	- Absent
Council Member Turnbach	- Yes
Council Vice-President Geoghegan	- Yes
Council President Maruca	- Yes

The Council **reconvened** the public portion at 8:20 P.M., a motion was made by Council Member Huryk, seconded by Council Member Geoghegan and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent.

A motion was made by Council Member Lotano, seconded by Council Member Geoghegan, and carried with Council Members Geoghegan, Huryk, Kopp, Lotano, Turnbach, and Council President Maruca voting yes, and with Council Member Rodrick absent, 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:

October 13, 2020 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 8:22 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 with Council Member Rodrick absent.

MARIA L. MARUCA, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK