

January 25, 2023

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, and Toms River, New Jersey at 4:00 PM.

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

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

**OPEN PUBLIC MEETINGS ACT**  
**STATEMENT**

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Friday, **January 6, 2023**, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Thursday **January 5, 2023**, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, **January 3, 2023**. The meeting dates have also been posted on the Township web page.

Roll Call:

Council Member Ciccozzi	- Present
Council Member Kopp	- Present
Council Member Lamb	- Present
Council Member Quinlisk	- Present
Council Member Rodrick	- Present
Council Vice-President Geoghegan	- Present
Council President Lotano	- Present

**APPROVAL OF MINUTES**

A motion was made by Council Member Kopp, seconded by Council Member Quinlisk, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with, Council President Lotano voting yes, to approve the Minutes of the **Re-Organization Meeting of January 3, 2023**. 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 Kopp, seconded by Council Member Geoghegan, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with Council President Lotano voting yes, to make the following honoring proclamations a part of the Minutes.

Mayor Hill introduced Township Planner David Roberts, and presented him with a clock for his retirement.

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

**ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS  
RIVER, OCEAN COUNTY, NEW JERSEY, TO EXCEED THE  
MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH  
A CAP BANK**

**(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A.40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Township Council of the Township of Toms River in the County of Ocean finds it advisable and necessary to increase its CY2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Township Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$2,588,175.13 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Toms River, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2023 budget year, the final appropriations of the Township of Toms River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$3,623,445.18 and that CY2023 municipal budget for the Township of Toms River be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within Five (5) days after such adoption.

BE IT FURTHER ORDAINED if any provision of this ordinance is for any reason invalidated by superseding legislation or judicial decision, that provision shall be severed, and the remaining provisions shall remain in full force and effect.

BE IT FURTHER ORDAINED pursuant to N.J.S.A. 40A:4-45.14c, this ordinance shall take effect immediately upon adoption.

A motion was made by Council Member Kopp, seconded by Council Member Geoghegan, 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 January 25, 2023 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 February 8, 2023, 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.

MICHAEL CRUOGLIO  
TOWNSHIP CLERK

APPROVED AS TO FORM:  
ANTHONY MERLINO  
ASSISTANT 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, 27, and 2023.

Ordinance was adopted on first reading with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, and Council President Lotano voting yes, and with Council Member Rodrick voting no.

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

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-79, SCHEDULE XXI (SPEED LIMITS) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE, REDUCING THE SPEED LIMIT ON:**

**CEDAR GROVE ROAD - FROM 40 MILES PER HOUR TO 35 MILES PER HOUR, FOR THE ENTIRE LENGTH**

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

1. Section 477-79, Schedule XXI (Speed Limits) of Chapter 477 (Vehicles and Traffic) is hereby amended and supplemented to reduce the speed limit on Cedar Grove Road to promote enhanced vehicular and pedestrian safety, as follows:

<b><u>NAME OF STREET:</u></b>	Cedar Grove Road
<b><u>SPEED (MPH):</u></b>	35
<b><u>LOCATION:</u></b>	Entire Length

2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 477 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

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

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

A motion was made by Council Member Kopp, seconded by Council Member Quinlisk, 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 January 25, 2023 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 February 8, 2023, 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.

MICHAEL CRUOGLIO  
TOWNSHIP CLERK

APPROVED AS TO FORM:  
ANTHONY MERLINO  
ASSISTANT 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 on Saturday, January 28, 2023.

Ordinance was adopted on first reading with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with Council President Lotano voting yes.

#### CONSENT AGENDA

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

A motion was made by Council Member Rodrick, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and Council President Lotano voting yes, to approve all the following items listed on the Consent Agenda except item **D, I, P, U, and W**, which were done separately.

#### RESOLUTION

*JANUARY 25, 2023*

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

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
<i>KENNETH &amp; BRENDA WARD</i>	<i>1056</i>	<i>74.01</i>	<i>-C0103</i> <i>2023/1</i>	<i>\$11,736.00</i>
			<i>TOTAL</i>	<i>\$11,736.00</i>

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**

*January 25, 2023*

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

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

<i>Chadwick North &amp; South LLC</i>	<i>1946.01</i>	<i>15</i>	<i>2022/4</i>	<i>\$12,857.99</i>
<i>Jennifer R. Jacobus ESQ ATTY</i>	<i>404</i>	<i>68</i>	<i>2018/4</i> <i>\$15,397.51</i> <i>2019/4</i> <i>\$15,606.83</i> <i>2020/4</i> <i>\$16,313.25</i>	<i>\$47,317.59</i>
			<i>TOTAL:</i>	<i>\$60,175.58</i>

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

Approved as to content:

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 400.08, LOT 17, EFFECTIVE JANUARY 1, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**January 25, 2023**

WHEREAS, the owner of real property in the Township of Toms River known as Block 400.08 Lot 17, located at 787 Maple Crest Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2022 and

WHEREAS, property taxes for 2022, 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 2022 real property taxes for Block 400.08 Lot 17 due on or after, January 1, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 400.08 Lot 17, if any, shall be refunded on a pro-rated basis from January 1, 2022.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.

4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor
  - b) Business Administrator
  - c) Township Attorney
  - d) Chief Financial Officer
  - e) Township Assessor
  - f) Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT  
OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 694.07,  
LOT 28, EFFECTIVE JANUARY 1, 2022 AND PROVIDING THAT PROPERTY TAXES  
FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**January 25, 2023**

WHEREAS, the owner of real property in the Township of Toms River known as Block 694.07 Lot 28, located at 672 Coventry Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2022 and

WHEREAS, property taxes for 2022, 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 2022 real property taxes for Block 694.07 Lot 28 due on or after, January 1, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 694.07 Lot 28, if any, shall be refunded on a pro-rated basis from January 1, 2022.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor
  - b) Business Administrator
  - c) Township Attorney
  - d) Chief Financial Officer
  - e) Township Assessor
  - f) Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT  
OF A 100% DAV DEDUCTION FOR BLOCK 289 LOT 27, EFFECTIVE JANUARY 11,  
2022 FOR HALF OF A TWO HOME DWELLING, AND PROVIDING THAT  
PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED  
AND/OR REFUNDED**

**JANUARY 25, 2023**

WHEREAS, the owner of real property in the Township of Toms River known as Block 289 Lot 27, located at 42 Bay Breeze Drive, has been certified by the Tax Assessor as a a of a 100% DAV for half of a two home dwelling, effective January 11, 2022 and

WHEREAS, property taxes for 2022 on half of the two home dwelling 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. Half of the 2022 real property taxes for block 289, lot 27 due on or after effective January 11, 2022, shall be cancelled.
2. Half of the real property taxes from the date of this Resolution paid block 289, lot 27 if any, shall be refunded on a pro-rated basis from January 11, 2022.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor
  - b) Business Administrator
  - c) Township Attorney
  - d) Chief Financial Officer
  - e) Township Assessor
  - f) Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 693.17, LOT 4, EFFECTIVE NOVEMBER 10, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**January 25, 2023**

WHEREAS, the owner of real property in the Township of Toms River known as Block 693.17 Lot 4, located at 302 Trade Winds Avenue, has been certified by the Tax Assessor as a a of a 100% Disabled Veteran, effective November 10, 2022 and

WHEREAS, property taxes for 2022, 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 2022 real property taxes for Block 693.17 Lot 4 due on or after, November 10, 2022 shall be cancelled.



2. All real property taxes from the date of this Resolution paid Block 693.17 Lot 4, if any, shall be refunded on a pro-rated basis from November 10, 2022.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor
  - b) Business Administrator
  - c) Township Attorney
  - d) Chief Financial Officer
  - e) Township Assessor
  - f) Township Tax Collector

**RESOLUTION AUTHORIZING THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, THROUGH THE TOMS RIVER POLICE DEPARTMENT, TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM, TO ENABLE THE TOMS RIVER POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

**JANUARY 25, 2023**

**WHEREAS**, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

**WHEREAS**, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

**WHEREAS**, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of, any property through the 1033 Program; and

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of the Township of Toms River, New Jersey, that the Toms River Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31<sup>st</sup> of the current calendar year, from January 1, 2023 to December 31, 2023; and

**BE IT FURTHER RESOLVED**, that the Toms River Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A", which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold

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weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Toms River Police Department, without restriction; and

**BE IT FURTHER RESOLVED** that the Toms River Police Department is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes; and

**BE IT FURTHER RESOLVED** that the “DEMIL B through Q” controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

**BE IT FURTHER RESOLVED** that the Toms River Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

**BE IT FURTHER RESOLVED** that the Toms River Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time which this resolution authorizes; with Program participation and all property request authorization terminating on December 31<sup>st</sup> of the current calendar year, from January 1, 2023 to December 31, 2023:

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Township Attorney
- d) Township Clerk
- e) Toms River Police Department  
Attn: Sgt. Anthony Scali  
Attn: Captain Pat Dellane

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, REJECTING THE BIDS RECEIVED FROM ACTION UNIFORM CO. AND SINATRA UNIFORMS, INC. FOR CLASS B POLICE UNIFORMS FOR THE TOMS RIVER POLICE DEPARTMENT, AND AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIALS TO APPROVE THE REBID FOR THIS PURCHASE**

**JANUARY 25, 2023**

**WHEREAS**, bids were invited on December 20, 2022 for Class B Police Uniforms for the Toms River Police Department; and

**WHEREAS**, bids were received as follows:

Action Uniform Co.  
1500 S. New Rd.  
Pleasantville, NJ 08232

Sinatra Uniforms, Inc.  
1000 N. 10<sup>th</sup> Street  
Millville, NJ 08332

**WHEREAS**, the bids have been reviewed by the Purchasing Division and the Toms River Police Department, and they have determined that both bids are non-responsive due to excessive cost estimates and distance requirements. As such, it would be in the best interest of the Township to reject both bids pursuant to N.J.S.A. 40A:11-13.2(a), with the option to rebid at a later date;

**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 is in the best interest of the Township to reject the above-mentioned bids received, pursuant to N.J.S.A. 40A:11-13.2(a).

2. The appropriate Township Officials are hereby authorized to rebid for this purchase.

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) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Action Uniform Co.  
1500 S. New Rd.  
Pleasantville, NJ 08232
- f) Sinatra Uniforms, Inc.  
1000 N. 10<sup>th</sup> Street  
Millville, NJ 08332

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE SEALED PROPOSALS FOR DATA ANALYST FOR THE POLICE DEPARTMENT, USING A COMPETITIVE CONTRACTING PROCESS PURSUANT TO N.J.S.A. 40A:11-4.1(m) ET SEQ.**

**JANUARY 25, 2023**

**WHEREAS**, the Purchasing Division is requesting authorization to advertise and receive sealed proposals for Data Analyst for the Police Department, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1(m) et seq.;

**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 advertise and receive sealed proposals for Data Analyst for the Police Department, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1(m) et seq.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Township Clerk
- d) Purchasing Division
- e) Certified Financial Officer
- f) Township Attorney
- g) Police Department

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL ONE (1) YEAR CONTRACT EXTENSION FOR SERVICE AND REPAIRS TO EMERGENCY VEHICLES FOR THE OFFICE OF EMERGENCY MANAGEMENT AND OTHER DEPARTMENTS, WITH PL CUSTOM BODY AND EQUIPMENT CO., INC., COMMENCING FEBRUARY 25, 2023 THROUGH FEBRUARY 24, 2024**

**JANUARY 25, 2023**

**WHEREAS**, resolution of the Township Council dated February 11, 2020 authorized the award of contract for Service and Repairs to Emergency Vehicles for the Office of Emergency Management and Other Departments to PL Custom Body and Equipment Co., Inc., 2201 Atlantic Avenue, Manasquan, NJ, 08736, commencing February 25, 2020 through February 24, 2022;

**WHEREAS**, resolution of the Township Council dated December 14, 2021 authorized the first one (1) year extension of the existing contract with PL Custom Body and Equipment Co., Inc., for Service and Repairs to Emergency Vehicles for the Office of Emergency Management and Other Departments, commencing February 25, 2022 through February 24, 2023, under the same terms and conditions as the original contract; and

**WHEREAS**, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-5 which allows for the contract to be extended for no more than one (1) two-year, or two (2) one-year extensions upon the expiration of the original contract term; and

**WHEREAS**, the Purchasing Department and the Office of Emergency Management have determined it is in the best interest of the Township to extend this contract for the second and final one (1) year term, under the same terms and conditions as the original contract;

**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 contract extension for Service and Repairs to Emergency Vehicles for the Office of Emergency Management and Other Departments, with PL Custom Body and Equipment Co., Inc., for a one (1) year term, commencing February 25, 2023 through February 24, 2024. This contract shall be open-ended with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Police Department
- f) Office of Emergency Management
- g) PL Custom Body and Equipment Co., Inc.  
2201 Atlantic Avenue  
Manasquan, NJ 08736

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A CONTRACT FOR  
PROPRIETARY 2023 SOFTWARE MAINTENANCE WITH EDMUNDS &  
ASSOCIATES, INC., FOR THE EDMUNDS FINANCIAL SOFTWARE SYSTEM  
CURRENTLY UTILIZED BY THE TOWNSHIP, FOR THE DEPARTMENT OF  
FINANCE, IN THE TOTAL AMOUNT NOT TO EXCEED \$56,012.03**

**JANUARY 25, 2023**

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

1. Pursuant to N.J.S.A. 40A:11-5(1)(dd), a contract which exceeds the bid threshold may be awarded by the governing body without public advertising for bids and bidding by resolution for the support or maintenance of proprietary computer hardware and software. This purchase in addition to the hosting will exceed that amount. The agreement for the payment to Edmunds & Associates, Inc., for the Renewal of Proprietary Software Maintenance and Support for the Edmunds Financial Software System currently utilized by the Township for the Department of Finance, is approved, as follows:

**DESCRIPTION: 2023 PROPRIETARY SOFTWARE MAINTENANCE**

The total contract will be for \$56,012.03 as follows:

MNJTX3	SS Tax Collection	\$15,205.89
MNJFN3	SS Financial Accounting	\$12,869.85
MNJER3	SS Electronic Requisitions	\$4,331.41
MNJES1	SS Escrow Accounting	\$1,054.46
MNJPR2	SS Payroll II	\$4,547.71
MNJHR2	SS Human Resources	\$4,331.41
WIPP-RET	MCSJ WHIPP Tax Annual Fee	\$1,341.06
OS-9039-7	Cloud Hosting	\$12,330.24
		<b>\$56,012.03</b>

Contract Awarded to: Edmunds & Associates, Inc.  
301A Tilton Road  
Northfield, N.J. 08225

Maximum Amount: \$56,012.03

Account No.: 2-01- -A17-510

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney

- d) IT Services
- e) Edmunds & Associates, Inc.  
301A Tilton Road  
Northfield, N.J. 08225

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964," PURSUANT TO N.J.S.A. 40A:4-5.**

**JANUARY 25, 2023**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183, requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the Township Council have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto as Schedule "A":

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

1. The Township Council of the Township of Toms River hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance.
2. The Township Clerk is hereby directed to maintain and make available for inspection a certified copy of this resolution and the fully-executed affidavit to show evidence of said compliance.
3. The Chief Financial Officer shall file a certified copy of this resolution and the original, fully-executed affidavit to the Division of Local Government Services as required by law.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor Maurice B. Hill, Jr.
  - b) Township Council
  - c) Business Administrator
  - d) Chief Financial Officer
  - e) Township Attorney

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON JANUARY 25, 2023.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO CIVICPLUS FOR TOWNSHIP WEBSITE AND CIVICCLERK AGENDA SYSTEM SOFTWARE SERVICES FOR A TWO YEAR TERM, COMMENCING MARCH 4, 2023 THROUGH MARCH 3, 2025, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$38,231.63**

**JANUARY 25, 2023**

**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 Division of Purchasing is requesting authorization to enter into a contract for 2023/2024 Website Annual Fee and 2023/2024 CivicClerk to CivicPlus, 302 South 4<sup>th</sup> Street, Suite 500, Manhattan, KS, 66502, in a total contract amount not to exceed \$38,231.63. Pursuant to N.J.S.A. 40A:11-5(1)(dd), the provision or performance of goods or services for the support or maintenance of proprietary computer hardware or software may be awarded by the governing body without public advertising for bids. This contract is being awarded under the Pay to Play statute N.J.S.A. 19:44A-20 et seq.

2. The term of this contract shall be from March 4, 2023 through March 3, 2025. The total contract amount not to exceed \$38,231.63, is as follows:

CivicClerk Year 1	\$13,155.00
2023 Website Annual Fee	\$ 5,512.50
	-----
	\$18,667.50

Account No. : 3-01- -A17-510

CivicClerk Year 2	\$13,776.00
2024 Website Annual Fee	\$ 5,788.13
	-----
	\$19,564,13

Funds available in Year 2 are contingent upon funds being available in subsequent municipal budgets.

Contract Awarded to: CivicPlus  
302 South 4<sup>th</sup> Street, Suite 500  
Manhattan, KS 66502

Maximum Amount: \$38,231.63

3. The certification of funds available statement with respect to this resolution.

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) Township Council
- c) Certified Financial Officer
- d) Township Attorney
- e) Township Clerk
- f) IT Department
- g) CivicPlus

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RESCINDING CONTRACT FOR ONE (1) NEW AND UNUSED 2023 FORD F550 CREW CAB GAS CHASSIS AND REMOUNT/REFURBISH POLICE SPECIAL SERVICES VEHICLE FOR THE POLICE DEPARTMENT AWARDED ON DECEMBER 28, 2021 TO BAY HEAD INVESTMENTS, INC., T/A VCI EMERGENCY VEHICLE SPECIALISTS, IN THE AMOUNT OF \$101,444.28**

**JANUARY 25, 2023**

**WHEREAS**, one bid was received on December 14, 2021 for One (1) New and Unused 2023 Ford F550 Crew Cab Gas Chassis and Remount/Refurbish Police Special Services Vehicle for the Police Department; and

**WHEREAS**, the bid was reviewed by the Purchasing Division and the Police Department, and a contract was awarded by resolution dated December 28, 2021 to Bay Head Investments Inc., T/A VCI Emergency Vehicle Specialists, for One (1) New and Unused 2023 Ford F550 Crew Cab Gas Chassis and Remount/Refurbish Police Special Services Vehicle, in the total contract price not to exceed \$101,444.28; and

**WHEREAS**, during the past year, Ford has not begun production. The Police Department has decided to research smaller truck options and wishes to rescind this contract. The vendor has agreed to the termination.

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

1. It hereby rescinds the contract One (1) New and Unused 2023 Ford F550 Crew Cab Gas Chassis and Remount/Refurbish Police Special Services Vehicle for the Police Department awarded by resolution dated December 28, 2021 to Bay Head Investments Inc., T/A VCI Emergency Vehicle Specialists, in the total contract price not to exceed \$101,444.28.

2. During the past year, Ford has not begun production. The Police Department has decided to research smaller truck options and wishes to rescind this contract. The vendor has agreed to the termination.

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) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Bay Head Investments, Inc. T/A  
VCI Emergency Vehicle Specialists  
43 Jefferson Avenue  
Berlin, NJ 08009

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO AWARD A CONTRACT TO NIELSEN FORD OF MORRISTOWN, INC., FOR THE PURCHASE TWO (2) 2023 FORD POLICE UTILITY INTERCEPTOR VEHICLES FOR THE POLICE DEPARTMENT, IN THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$79,972.00**



**JANUARY 25, 2023**

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for One (1) 2023 Ford Police Interceptor Vehicle, with the option to purchase one (1) additional vehicle over the next 12 months for the Police Department; and

WHEREAS, the Township has determined it is in the best interest of the Township of Toms River to purchase two (2) vehicles at this time; and

WHEREAS, one (1) bid was received from Nielsen Ford of Morristown, Inc. on January 10, 2023, and reviewed by the Purchasing Division and the Police Department, as follows:

Nielsen Ford of Morristown, Inc.  
170 Ridgedale Avenue  
Morristown, NJ 07960

Item #	Unit Price	Quantity Requested	Total Cost
<u>#1-1</u> <u>Base Price: 2023 Ford Police Utility Interceptor</u>			
	\$ 37,956.00	2	\$ 75,912.00
<u>Factory Options</u>			
# 2-1 500A Option Package	\$ 0.00	2	\$ 0.00
# 2-2 60R Radio Noise Suppression	\$ 100.00	2	\$ 200.00 #2-3
549 Mirrors-Heated Side View	\$ 60.00	2	\$ 120.00 #2-4
87R Rear Camera Installed Rear View Mirror	\$ 0.00	2	\$ 0.00
#2-5 76R Reverse Sensing System	\$ 275.00	2	\$ 550.00 #2-6
86T Rear Tail Lights Pre Prep Pkg.	\$ 60.00	2	\$ 120.00 #2-7
55F Remote Keyless Entry Key Fob	\$ 340.00	2	\$ 680.00 #2-8
76D Deflector Plate	\$ 335.00	2	\$ 670.00 #2-9 61B
OBD-II Split Connector	\$ 55.00	2	\$ 110.00
#2-10 60A Pre-Wiring for Grille LED Lights, Siren and Speakers	\$ 50.00	2	\$ 100.00 #2-11
18D Global Lock/Unlock Feature	\$ 0.00	2	\$ 0.00
<u>Additional Options</u>			
#3-1 43D Courtesy Lamps Disable	\$ 25.00	2	\$ 50.00 #3-2
51T Driver's Side LED Spotlight	\$ 420.00	2	\$ 840.00
#3-3 47A Engine Idle Feature	\$ 260.00	2	\$ 520.00
#3-4 17T Cargo Area Red/Clear Dome 5"	\$ 50.00	2	\$ 100.00
Total	\$39,986.00		\$79,972.00

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

1. It hereby awards a contract to Nielsen Ford of Morristown, Inc., as sole bidder, who meets all of the bid specifications, for the purchase of two (2) 2023 Ford Police Utility Interceptor Vehicles for the Police Department, as listed above.

2. The Township has determined that it would be in their best interest to purchase two (2) vehicles at this time.

3. Funds in the amount of \$79,972.00 are available in Account No. 3-16- -902-004. The award of this contract is subject to all terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Nielsen Ford of Morristown, Inc.  
170 Ridgedale Avenue  
Morristown, NJ 07960

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A THREE-YEAR  
CONTRACT FOR THE MAINTENANCE AND REPAIR OF HVACR UNITS & SYSTEMS  
TO PETERSON SERVICE COMPANY, INC., AS THE SOLE BIDDER, MEETING ALL  
THE BID SPECIFICATIONS, FOR A TOTAL CONTRACT FOR YEAR ONE (1) NOT TO  
EXCEED \$71,644.00**

**JANUARY 25, 2023**

**WHEREAS**, bids were invited for the Maintenance and Repair of HVACR Units and Systems; and

**WHEREAS**, no bids were received at the initial bid opening on December 15, 2022; and

**WHEREAS**, one (1) bid was received at the rebid opening on January 10, 2023, and reviewed by Purchasing and the Division of Parks, Buildings and Grounds, as follows:

Peterson Service Company

234 Route 70

Medford, NJ 08055

#	Items	Total Year One	Total Year Two	Total Year Three
#1-1	TOWN HALL	\$27,604.00	\$28,432.00	\$29,285.00
#1-2	LAW ENFORCEMENT CENTER	\$37,906.00	\$39,043.00	\$40,214.00
#1-3	ANIMAL SHELTER	\$6,134.00	\$6,318.00	\$6,507.00
	<b>TOTAL</b>	<b>\$71,644.00</b>	<b>\$73,793.00</b>	<b>\$76,006.00</b>

  

		Year One Price/Hour	Year Two Price/Hour	Year Three Price/Hour
#2-1	Journeyman - System Maintenance Repair Regular Working Hours, 8:00 AM to 5:00 PM, Monday through Friday Excluding Holidays	\$139.00	\$141.00	\$143.00
#2-2	Apprentice - System Maintenance/Repair Regular Working Hours, 8:00 AM to 4:00 PM, Monday through Friday Excluding Holidays	\$139.00	\$141.00	\$143.00
#2-3	Program Technician Regular Working Hours, 7:30 AM to 4:00 PM, Monday through Friday Excluding Holidays	\$159.00	\$161.00	\$163.00

**Part 1:** We are certifying funds for Year 1. Funds for Year One (1) in the amount of \$71,644.00 are available in Account No. 3-01- -R20-531.

Remaining Preventative Maintenance funds will be contingent upon the adoption of future municipal budgets.

**Part 2:** Will be open-ended with funds being certified each time an order is placed, contingent upon availability in the appropriate municipal budget.

**WHEREAS**, the rebid has been reviewed by Purchasing and the Division of Parks, Buildings and Grounds, and they recommend to award a contract to Peterson Service Company, Inc., as the sole bidder meeting all the bid specifications, for a three-year contract, effective from RTC award date through January 24, 2026;

**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 Three-Year Contract for the Maintenance and Repair of HVACR Units & Systems to Peterson Service Company, Inc., as the sole bidder meeting all the bid specifications, as follows:

Peterson Service Company  
 234 Route 70  
 Medford, NJ 08055

#	Items	Total Year One	Total Year Two	Total Year Three
#1-1	TOWN HALL	\$27,604.00	\$28,432.00	\$29,285.00
#1-2	LAW ENFORCEMENT CENTER	\$37,906.00	\$39,043.00	\$40,214.00
#1-3	ANIMAL SHELTER	\$6,134.00	\$6,318.00	\$6,507.00
	<b>TOTAL</b>	<b>\$71,644.00</b>	<b>\$73,793.00</b>	<b>\$76,006.00</b>

  

#	Items	Year One Price/Hour	Year Two Price/Hour	Year Three Price/Hour
#2-1	Journeyman - System Maintenance Repair Regular Working Hours, 8:00 AM to 5:00 PM, Monday through Friday Excluding Holidays	\$139.00	\$141.00	\$143.00
#2-2	Apprentice - System Maintenance/Repair Regular Working Hours, 8:00 AM to 4:00 PM, Monday through Friday Excluding Holidays	\$139.00	\$141.00	\$143.00
#2-3	Program Technician Regular Working Hours, 7:30 AM to 4:00 PM, Monday through Friday Excluding Holidays	\$159.00	\$161.00	\$163.00

**Part 1:** We are certifying funds for Year 1. Funds for Year One (1) in the amount of \$71,644.00 are available in Account No. 3-01- -R20-531.

Remaining Preventative Maintenance funds will be contingent upon the adoption of future municipal budgets.

**Part 2:** Will be open-ended with funds being certified each time an order is placed, contingent upon availability in the appropriate municipal budget.

2. The term of contracts shall be for a period of three (3) years. Contract shall be effective from RTC award date through January 24, 2026. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one (1) year terms after the expiration of the original contract period. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

3. The award of these contracts is subject to all the terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Division of Parks, Buildings & Grounds

- e) Peterson Service Company, Inc.  
234 Route 70  
Medford, NJ 08005

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING TO DISPOSE  
OF THREE (3) IN-CAR CAMERA SYSTEMS FROM THE POLICE DEPARTMENT,  
THAT ARE NO LONGER NEEDED FOR PUBLIC USE BY DONATION TO  
PEMBERTON TOWNSHIP**

**JANUARY 25, 2023**

**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 to dispose of three (3) in-car camera systems from the Police Department that are no longer needed for public use, by donation to Pemberton Township, 500 Pemberton-Browns Mills Road, Pemberton, NJ, 08068, pursuant to N.J.S.A. 40A:11-36(2) which states that the contracting unit need not advertise for bids for the disposition of personal property to other government entities.

2. The three (3) in-car camera systems included are as follows:

- 3 hard drives
- 3 HD cameras
- All necessary wiring

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) Certified Financial Officer
- c) Purchasing Division
- d) Police Department

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS  
RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE  
GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS QUICKCHEK BLOCK  
1079.01, LOT 2,4,6,14,15 AND 16  
(3112 / 3116 Route 37 East)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 1079.01, Lot 2,4,6,14,15 & 16.

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

1) Maintenance Surety Bond #CMS0323462 in the amount of \$34,445.00 is hereby released;

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

- a. Township Engineer

January 25, 2023 21

- b. Chief Financial Officer
- c. Township Attorney
- d. QuickChek Corporation  
3 Old Highway 28  
PO Box 600  
Whitehouse Station NJ 08889

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING REDUCED PERFORMANCE GUARANTEES FOR A MAJOR SUBDIVISION KNOWN AS BLOCK 1098.56, LOTS 34 THRU 39 (DEWEY DRIVE)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Block 1098.56, Lots 34 - 39.

WHEREAS, Reduced Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$97,200.00, is hereby reduced down to 40 % of the original bond amount which amounts to \$64,800.00.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Pound Nets, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Cash Bond in the amount of \$32,400.00 on account # 3-14- -902-101 to be released;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Pound Nets, LLC  
29 Hadley Avenue  
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 723, LOT 2 (465 Route 37 East)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 723, Lot 2.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #K1547886A in the amount of \$150,390.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$16,710.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Surety Bond #K15478871 in the amount of \$6,677.50 which represents the Safety and Stabilization Guarantee.
- 4) Check in the amount of \$9,571.17 which represents the initial escrow fees.

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

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

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

- A. Township Engineer
- B. Chief Financial Officer
- C. Township Attorney
- D. JVKS EMA LLC

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS BLOCK 574, LOT 8 (219 Oak Avenue)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 574, Lot 8.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$6,000.00 which represents the performance guarantee amount.
- 2) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.
- 3) Check in the amount of \$535.00 which represents the escrow amount for inspection fees.

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

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

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

- A. Township Engineer
- B. Chief Financial Officer
- C. Township Attorney

D. EPG Limited LLC  
449 Costa Mesa Drive  
Toms River, NJ 08757

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 442.25 LOT 14 AND 14.01 (15 Pumpshire Road)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 442.25 Lot 14 & 14.01.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Bond # EACX4024266 in the amount \$3,285.00 which represents the 15% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Bond;

WHEREAS, the Township Engineer has made an inspection of said Major Site Plan and finds that all improvements have been satisfactorily completed; and

WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and acceptance of Maintenance Guarantees;

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:

- 1) Previously posted Surety Bond # 1001006362 in the amount of \$19,710.00, is hereby released with applicable interest if any;
- 2) Maintenance Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. J.E Hannon Inc.  
T/A Bird Construction  
Attn: James Hannon  
105 Harbor Inn Road  
Bayville NJ 08721

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR NJ DOT IMPROVEMENTS FOR A MAJOR SITE PLAN KNOWN AS BLOCK 135, LOT 4 (117 / 185 Route 70)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 135, Lot 4.

WHEREAS, Performance Bonds have been posted as follows:



- 1) Surety Bond #800144776 in the amount of \$106,924.32 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$11,880.48 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee.
- 4) Check in the amount of \$4,950.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 117 Route 70, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 117 Route 70, LLC  
1189 Lakewood Farmingdale Road  
Howell, NJ 07731

**WHEREAS**, bids were invited for Fencing Installation, Maintenance and Repair; and

**WHEREAS**, no bids were received at the initial bid opening on November 22, 2022; and

**WHEREAS**, a Fencing rebid opened on December 20, 2022 resulting in one (1) non-responsive bid, due to excess costs; and

**WHEREAS**, based on N.J.S.A. 40A:11-5(3)(a), negotiations were invited from eight (8) bidders. Three (3) bidders, Accent Fence Inc., South State Inc. and EB Fence LLC responded to the request; and

**WHEREAS**, the lowest responsive and responsible bidder meeting all of the bid specifications was Accent Fence Inc., 1450 Bremen Avenue, Egg Harbor City, NJ, 08215; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(3)(a), a contract was negotiated with Accent Fence Inc. as follows:

**Fencing Installation, Repair & Maintenance  
Proposal Form - Bid Tab**

		<b>EB FENCE, LLC</b>	<b>SOUTH STATE, INC.</b>	<b>ACCENT FENCE, INC.</b>
<b><u>A. PURCHASE AND INSTALLATION</u></b>				
#1-1	3' High per linear foot 10' post spacing with 24" tie spacing	\$40.10	\$24.50	\$40.00
#1-2	Optional: Line Rail Spacing 8' (added per linear foot)	\$5.00	\$3.00	\$4.00
#1-3	Optional: Tie spacing 12" (added per linear foot)	\$5.00	\$2.00	\$1.00
#1-4	Optional: 3' Gate to match (per unit)	\$400.00	\$650.00	\$150.00
#1-5	Optional: 4' Gate to match (per unit)	\$400.00	\$780.00	\$150.00
#1-6	Optional: 6' Gate to match (per unit)	\$725.00	\$910.00	\$300.00
#2-1	4' High per linear foot 10' post spacing with 24" tie spacing	\$40.10	\$32.00	\$50.00
#2-2	Optional: Line Rail Spacing 8' (added per linear foot)	\$5.00	\$3.50	\$4.00
#2-3	Optional: Tie spacing 12" (added per linear foot)	\$5.00	\$3.00	\$1.00
#2-4	Optional: 3' Gate to match (per unit)	\$400.00	\$650.00	\$165.00
#2-5	Optional: 4' Gate to match (per unit)	\$400.00	\$780.00	\$165.00
#2-6	Optional: 6' Gate to match (per unit)	\$725.00	\$910.00	\$330.00
#3-1	6' High per linear foot 10' post spacing with 24" tie spacing	\$45.50	\$38.00	\$65.00
#3-2	Optional: Line Rail Spacing 8' (added per linear foot)	\$5.00	\$4.00	\$4.00
#3-3	Optional: Tie spacing 12" (added per linear foot)	\$5.00	\$3.00	\$1.00
#3-4	Optional: 3' Gate to match (per unit)	\$700.00	\$650.00	\$250.00
#3-5	Optional: 4' Gate to match (per unit)	\$700.00	\$780.00	\$250.00
#3-6	Optional: 6' Gate to match (per unit)	\$1,300.00	\$910.00	\$500.00
#4-1	8' High per linear foot 10' post spacing with 24" tie spacing	\$51.25	\$53.00	\$85.00
#4-2	Optional: Line Rail Spacing 8' (added per linear foot)	\$5.50	\$6.00	\$4.00
#4-3	Optional: Tie spacing 12" (added per linear foot)	\$5.50	\$4.00	\$1.50
#4-4	Optional: 3' Gate to match (per unit)	\$700.00	\$650.00	\$275.00
#4-5	Optional: 4' Gate to match (per unit)	\$700.00	\$780.00	\$275.00
#4-6	Optional: 6' Gate to match (per unit)	\$1,300.00	\$910.00	\$550.00
#5-1	10' High per linear foot 10' post spacing with 24" tie spacing	\$52.50	\$62.00	\$105.00
#5-2	Optional: Line Rail Spacing 8' (added per linear foot)	\$5.50	\$7.00	\$4.00
#5-3	Optional: Tie spacing 12" (added per linear foot)	\$5.50	\$5.00	\$2.00
#5-4	Optional: 3' Gate to match (per unit)	\$850.00	\$975.00	\$300.00
#5-5	Optional: 4' Gate to match (per unit)	\$950.00	\$1,105.00	\$300.00
#5-6	Optional: 6' Gate to match (per unit)	\$1,625.00	\$1,235.00	\$600.00
#6-1	12' High per linear foot 10' post spacing with 24" tie spacing	\$56.80	\$74.00	\$120.00
#6-2	Optional: Line Rail Spacing 8' (added per linear foot)	\$5.50	\$8.00	\$5.00
#6-3	Optional: Tie spacing 12" (added per linear foot)	\$5.50	\$6.00	\$2.50
#6-4	Optional: 3' Gate to match (per unit)	\$950.00	\$975.00	\$400.00
#6-5	Optional: 4' Gate to match (per unit)	\$1,050.00	\$1,105.00	\$400.00
#6-6	Optional: 6' Gate to match (per unit)	\$1,825.00	\$1,235.00	\$800.00
	<b>TOTALS</b>	<b>\$16,049.25</b>	<b>\$16,328.00</b>	<b>\$6,659.00</b>
<b><u>B. MATERIAL AND LABOR FOR NON-LISTED INSTALLATIONS</u></b>				
#7-1	Installer Per Hour	\$140.75	\$190.00	\$160.00
#7-2	Helper Per Hour	\$140.75	\$160.00	\$155.00
#7-3	Material Markup Above Bidder's Cost - Percentage	10%	25%	30%

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

1. Pursuant to N.J.S.A. 40A:11-5(3)(a), it hereby authorizes the award of a negotiated, open ended contract to Accent Fence, Inc. for Fencing Installation, Maintenance and Repair.
2. The contract shall be open-ended with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget.
3. The Term of Contract shall be effective retroactive from December 31, 2022 through December 30, 2024.
4. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one (1) year terms after the expiration of original contract period. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions shall

remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

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

6. 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) Certified Financial Officer
- c) Township Attorney
- d) Public Works Department
- e) Division of Parks, Buildings & Grounds
- f) All Aforementioned Bidders

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING THE CASH MANAGEMENT PLAN OF THE TOWNSHIP OF TOMS RIVER, EFFECTIVE RETROACTIVE TO JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

**JANUARY 25, 2023**

WHEREAS, the Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14, in order to set forth the basis for the deposits and permitted investments of certain public funds of the Township of Toms River ("Township"), pending the use of such funds for the intended purposes; and

WHEREAS, the Plan is intended to assure that all public funds identified in the Plan are deposited in interest bearing deposits or otherwise invested in permitted investments; and

WHEREAS, the intent of the Plan is to provide that the decisions made with regard to the deposits and the permitted investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits; and

WHEREAS, the Plan is intended to insure that any deposit or permitted investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such deposits or permitted investments; and

WHEREAS, it is necessary to amend the Cash Management Plan of the Township of Toms River in order to comply with the provisions of N.J.S.A. 40A:5-14;

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 amended Cash Management Plan of the Township of Toms River, Ocean County, New Jersey, which is attached to this resolution as Schedule "A", effective retroactive to January 1, 2023 through December 31, 2023, in order for the Township to be in compliance pursuant to the provisions of N.J.S.A. 40A:5-14.

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

- a) Mayor Maurice B. Hill
- b) Township Council
- c) Business Administrator
- d) Chief Financial Officer
- e) Township Attorney

- f) Municipal Auditor
- g) All Official Depositories as designated in the Township's Cash Management Plan

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE COUNTY OF OCEAN, OFFICE OF THE OCEAN COUNTY PROSECUTOR FOR POLICE SERVICES – (OCEAN COUNTY NARCOTICS STRIKE FORCE), COMMENCING RETROACTIVE FROM JANUARY 1, 2023 THROUGH DECEMBER 31, 2023**

**JANUARY 25, 2023**

**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 Mayor is hereby authorized to execute and the Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the County of Ocean, Office of the Ocean County Prosecutor for Police Services – Ocean County Narcotics Strike Force. Term of Agreement: Commencing retroactive from January 1, 2023 through December 31, 2023. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Township Attorney
- b) Police Department, Attn: Captain Michael Miller
- c) Certified Financial Officer
- d) Mayor Maurice B. Hill, Jr.
- e) Township Council
- f) Business Administrator
- g) Purchasing Division
- h) Ocean County Board of Freeholders  
P.O. Box 2191  
Toms River, N.J. 08754-2191
- i) Ocean County Prosecutor's Office  
119 Hooper Avenue  
P.O. Box 2191  
Toms River, N.J. 08754-2191
- j) Division of Local Government Services

Council Member Rodrick questioned the following Resolution.

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

**RESOLUTION WAIVING LOCAL REVIEW OF TOWNSHIP BUDGET**  
**January 25, 2023**

WHEREAS, The Township of Toms River waives its right to local review of the 2023 Budget even though the Township meets the criteria and qualifies for self-review.

WHEREAS, it is necessary to formally request that the Director of the Division of Local Government Services review the Township's 2023 Budget;

NOW, THEREFORE, BE IT RESOLVED that the Township of Toms River is waiving local review of the 2023 Budget and requesting to have the Director of Local Government Services review the Budget. A copy of the Budget will be sent to the Division for their use.

BE IT FURTHER RESOLVED that certified copies of this Resolution will be provided by the Office of the Township Clerk to each of the following:

- a) Director, Division of Local Government Services (copy of Budget & resolution)
- b) Business Administrator
- c) Township Attorney
- d) Township Auditor
- e) Chief Financial Officer

Approved as to Content:

Bob Tormollan, 109 Messenger Street, questioned what roads included in loop project? If there are cons to building a roundabout, why is that what we are doing?

Art Anderson, 12 Park Street, asked if grant amount change and what is township match?

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR  
TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO AMENDMENT #1 TO  
GRANT AWARD NO. 693JJ32040012 BETWEEN THE TOWNSHIP OF TOMS RIVER  
AND THE FEDERAL HIGHWAY ADMINISTRATION, OFFICE OF ACQUISITION AND  
GRANTS MANAGEMENT, IN CONNECTION WITH THE DOWNTOWN TOMS RIVER  
LOOP ROAD PROJECT**

**JANUARY 25, 2023**

**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 Mayor is authorized to execute and the Township Clerk to attest to Amendment #1 to Grant Award No. 693JJ32040012 between the Township of Toms River and the Federal Highway Administration, Office of Acquisition and Grants Management, in connection with the Downtown Toms River Loop Road Project. A copy of this Amendment #1 is attached hereto as Schedule "A", and made a part of this resolution.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney

- e) Township Engineer
- f) Township Planner
- g) Travis Wheeler - Agreement/Contract Specialist  
Office of Acquisition and Grants Management, HCFA-32  
Federal Highway Administration  
Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, DC 20590

**SEE ATTACHMENTS "A**

Council Member Rodrick questioned the following Resolution.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MAJOR SUBDIVISION KNOWN AS BLOCK 410, LOT 10 AND 11 (Church Road)**

January 25, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Block410, Lot 10 & 11.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Bond # CTO23307M in the amount \$207,405.00 which represents the 15% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Cash Bond;

WHEREAS, the Township Engineer has made an inspection of said Major Subdivision and finds that all improvements have been satisfactorily completed; and

WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and acceptance of Maintenance Guarantees;

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:

- 1) Previously posted Surety Rider in the amount of \$622,215.00, is hereby released;
- 2) Maintenance Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. North Maple Associates, LLC  
501 Manchester Drive  
Toms River, NJ 08755

Art Anderson, 12 Park Street, need explanation regarding the following Resolution.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING ENGINEERING INSPECTION FEES FOR A MAJOR SITE PLAN KNOWN AS OUR LADY OF PERPETUAL HELP BYZANTINE CATHOLIC CHURCH, BLOCK 394, LOT 15 (1937 Church Road)**

**January 25, 2023**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 394, Lot 15.

WHEREAS, Engineering Inspection Fees have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.
- 2) Check in the amount of \$3149.08 which represents the required escrow amount for inspection fees.

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

- 1) The inspection fees set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Our Lady of Perpetual Help Byzantine Catholic Church, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Our Lady of Perpetual Help Byzantine Catholic Church  
1937 Church Road  
Toms River, NJ 08753

**REPORTS**

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

***Building Department***

	2022	2021
Building Permits – December	\$286,572.00	\$261,064.00
Building Permits – YTD through December	\$3,598,524.00	\$3,070,726

	2022	2021
Bey Lea Golf Course- December	\$5,040.70	\$5,641.00
Bey Lea Golf Course- YTD through December	\$1,801,676.69	\$1,689,892.06
Winding River Ice Rink- December	\$150,972.97	\$135,055.02
Winding River Ice Rink- YTD through December	\$1,122,218.90	\$951,942.73

**APPROVAL OF BILLS**

Council President Lotano asked for a report on the bills.

The Bill List, dated **January 20, 2023**, was approved on motion by Council Member Kopp, seconded by Council Member Geoghegan,, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with Council President Lotano voting yes. . **The following respective exceptions to their votes were noted as abstentions to this vote:**

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

Purchase Order 22-00123, payable to Imwoth LLC(AutoShred NJ) in the amount of \$214.50.

Purchase Order 22-05102, payable to Krean’s Auto Body, Inc., in the amount of \$750.00.

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

Purchase Order 23-00332, & 23-00334, payable to United Healthcare Insurance Company in the amount of \$166,864.08.

Council Member Ciccozzi – NONE

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

Purchase Order 23-00164, payable to Berkeley Township in the amount of \$2,788.00.

Purchase Order 22-06873, & 2-06919, payable to Owen Little & Associates, Inc., in the amount of \$12,050.57.

Purchase Order 23-00163, payable to Borough of South Toms River in the amount of \$486.10.

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

Purchase Order 22-01074, payable to Borough of Lavallette in the amount of \$908.65.

Purchase Order 22-01633, payable to Citta, Holzapfel, Zabarsky in the amount of \$1,001.13.

Purchase Order 23-00121, payable to Dasti McGuckin Attorneys at Law in the amount of \$18,582.75.

Purchase Order 23-00124, payable to Magistrate Salaries in the amount of \$6,937.41.



Council Member Ciccozzi – NONE

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

Purchase Order 23-00105, payable to Hands for All in the amount of \$5,372.02.

Purchase Order 23-00068, payable to Remington & Vernick Engineers in the amount of \$2,917.50.

Purchase Order 22-01079, payable to TEC Elevator, Inc., in the amount of \$650.00.

Council Member Rodricki – NONE

## **ELECTED OFFICIALS COMMENTS**

Council Member Lamb spoke regarding streetscape Project –attended virtual meeting. Hopeful to start soon – project looks great.

Council Members, Quinlisk, Rodrick, Kopp and Ciccozzi had no comments.

Council Member Geoghegan encouraged participation at Ciba hearing tonight.

Council Member Lotano thanked residents for attending – encouraged participation at Ciba Meeting.

Mayor Hill encouraged residents to attend Ciba Meeting at High School North tonight.

## **PUBLIC COMMENTS**

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

Paul Jeffries, 1661 Bay Blvd, Ortley Beach, thanked Township Planner Dave Roberts for his service at Ortley Beach for work on streetscape project.

Michael DeGeorge, 34 Mountain Court, Silverton, spoke on road issues/pavement, etc.

Chris Pizzola, 36 Mahlon Court, spoke on street paving issues. Asked Council Member Lotano if they can do inspection on that street.

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

No other business appearing, the meeting was **adjourned** at 4:39 P. M., on motion with Council Member Geoghegan. Seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and Council President Lotano voting yes.

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MATTHEW LOTANO, COUNCIL PRESIDENT

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MICHAEL CRUOGLIO, TOWNSHIP CLERK