

February 8, 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 6:01 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 hereafter 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 via phone
- 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 Lotano, 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 **Regular Meeting of January 25, 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 Geoghegan, seconded by Council Member Quintlisk, 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.

Council President Lotano introduced and presented proclamation to Eagle Scouts Michael Roberts.

Township of Toms River
Proclamation
Eagle Scout - Michael Roberts
February 08, 2023

*WHEREAS, Michael Roberts is a graduated member of BSA Troop 59 of the Jersey Shore Council of the Boy Scouts of America of Toms River, New Jersey and has earned the highest honor in BSA - the rank of **Eagle Scout**; and*

***WHEREAS**, to achieve the rank of Eagle Scout, a scout must have a minimum of 22 months tenure, have earned at least 7 skill awards, logged a minimum of 18 hours community service time, served at least 16 months as a troop leader in 3 of 11 leadership positions, and have amassed at least 21 badges (13 of which are required by the Boy Scouts of America National Committee); and*

***WHEREAS**, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All of these requirements must be completed prior to a scout's 18th birthday; and*

***WHEREAS**, Michael has been involved in scouting for 11 years, starting as a Wolf in 1st Grade with Pack 59 and continuing through Webelos in 5th Grade. In 6th Grade Michael crossed over into Boy Scouts as a Tenderfoot and worked his way up through the ranks of 2nd Class, 1st Class, Star, Life to Eagle in 11th Grade with Troop 59 out of Silverton Firehouse. Michael has earned a total of 33 merit badges and 2 religious awards, as well as having been a member of the Sea Scouts for the past 4 years, thus earning the Venturing and Apprentice Awards; and*

***WHEREAS**, Michael chose as the beneficiary of his Eagle Scout project **Toms River High School North**, where he is currently a Junior. His Eagle Scout project consisted of building a variety of bird nesting houses as well as a bat house, placed in a wooded field area at High School North.*

***NOW, THEREFORE, I, MAURICE B. HILL, JR., MAYOR** of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate **Michael Roberts** on his achievement of becoming an **Eagle Scout**, and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and efforts for the good of his community.*

Maurice "Mo" B. Hill, Jr., Mayor

Matthew W. Lotano
Council President

Kevin M. Geoghegan
Council Vice-President

David Ciccozzi

Joshua D. Kopp

Justin D. Lamb

Jim Quinlisk

Daniel T. Rodrick

Michael Cruoglio, Township Clerk read the following Ordinance of which the title only was read in full:

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

**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)**

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

February 8, 2023 2

Council Member Geoghegan offered the following ordinance and moved its adoption, Council Member Quinlisk 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 Ciccozzi	Yes
Council Member Kopp	Yes
Council Member Lamb	Yes
Council Member Quinlisk	Yes
Council Member Rodrick	No
Council Vice-President Geoghegan	Yes
Council President Lotano	Yes

Michael Cruoglio, Township Clerk read the following Ordinance of which the title only was read in full:

A motion was made by Council Member Geoghegan, seconded by Council Member Quinlisk, 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 477-79, 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 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 Lotano announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith.

Julie Adamek, 69 Cedar Grove Road, said there are many accidents on this road and hopes Council Members passes the resolution.

Dave Conigsten and Hannah Smith approved this resolution.

.On motion by Council Member Geoghegan, seconded by Council Member Quinlisk and carried, the public hearing was closed.

Council Member Geoghegan offered the following ordinance and moved its adoption, Council Member Quinlisk 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 Ciccozzi	Yes
Council Member Kopp	Yes
Council Member Lamb	Yes
Council Member Quinlisk	Yes
Council Member Rodrick	Yes
Council Vice-President Geoghegan	Yes
Council President Lotano	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 Geoghegan, seconded by Council Member Quinlisk, 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 and L**, which were done separately.

**RESOLUTION AUTHORIZING PLACE-TO-PLACE
TRANSFER FOR EXPANSION OF PREMISE
FOR PLENARY RETAIL DISTRIBUTION
LICENSE NUMBER 1507-44-023-008 ISSUED TO
WINES & LIQUORS, INC. T/A SPIRITS UNLIMITED
LOCATED AT 897 FISCHER BLVD.
TOMS RIVER, NJ 08753**

FEBRUARY 8, 2023

WHEREAS, an application has been filed for PLACE-TO-PLACE TRANSFER FOR EXPANSION OF PREMISE of Plenary Retail Distribution License #1507-44-023-008 issued to Wines & Liquors, Inc., located at 897 Fischer Blvd. Toms River, NJ; and

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

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 authorize; the Place-To-Place Transfer For Expansion of Premise to place Plenary Retail Distribution License Number 1507-44-023-008, held by Wines & Liquors, Inc. t/a Spirits Unlimited, located at 897 Fischer Blvd, Toms River, NJ, 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) Council
- d) Attorney
- e) State of New Jersey Division of Taxation
PO Box 999
Trenton, NJ 08646-0999
- f) Wines & Liquors Inc.

RESOLUTION

February 8, 2023

WHEREAS, the following application has been filed for **TAXI DRIVER / TAXI CAB / TAXI CAB COMPANY** in accordance with Chapter 457.

<u>Taxi Company</u>	<u>License #, Year, Car Description, Vin#</u>			
1. DKR Cab 504 Lafayette Ave Toms River, NJ 08753	736-23	2016	Toyota	34320
2. EZ Taxi Service LLC 13 Route 37 East Toms River, NJ 08753	511-23	2016	Toyota	43550
3. Comfort Ride LLC 17 Walnut Street Apt 26C Toms River, NJ 08753	450-23	2007	Toyota	43900
4. AA Always Available LLC 16 Pulaski Blvd Toms River, NJ 08757	711-23	2007	Chrysler	64133
5. 7 Star Taxi 2210 Royal Oaks Dr. Toms River, NJ 08753	423-23	2011	Toyota	49953
6. Absolutely the Best Taxi 55 Charlotteville Dr. South Toms River, NJ 08757	311-23	2007	Mercury	03944
7. Alex Lartey 802 Man Street 3-8 Toms River, NJ 08753	490-23	2005	Mercury	23651
8. Ocean Taxi 49 Wrangle Brook Rd Toms River, NJ 08755	702-23 703-23	2011 2012	Toyota Toyota	15026 09590

WHEREAS, the Township Clerk has reported to this Council that said applications and requirements are in order;

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

1. That the Clerk of this Township is hereby authorized and directed to issue the TAXI LICENSE to the applicants listed above, in accordance with Chapter 457 (Taxicab and Taxicab Drivers) the "Code of the Township of Toms River".
2. The applicant is required to conform to all provisions of Chapter 457 (Taxi cabs and Taxi Drivers)
3. The Township Clerk shall send a certified copy of Resolution to the:

- a. Police Department
- b. Licensee (s)
- c. Clerk's File
- d. Law Dept.

RESOLUTION

February 8, 2023

WHEREAS, the following application has been filed for **TAXI DRIVER / TAXI CAB / TAXI CAB COMPANY** in accordance with Chapter 457.

<u>Name</u>	<u>Type of License</u>	<u>Taxi Company</u>
01-23 Chris Marashlian	Taxi Driver	AA Always s Available
02-23 Jaswinder Lal	Taxi Driver	DKR Cab
07-23 Alex Lartey	Taxi Driver	Alex Taxi LLC

WHEREAS, the Township Clerk has reported to this Council that said applications and requirements are in order;

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

1. That the Clerk of this Township is hereby authorized and directed to issue the TAXI LICENSE to the applicants listed above, in accordance with Chapter 457 (Taxicab and Taxicab Drivers) the "Code of the Township of Toms River".
2. The applicant is required to conform to all provisions of Chapter 457 (Taxi cabs and Taxi Drivers)
3. The Township Clerk shall send a certified copy of Resolution to the:

- a. Police Department
- b. Licensee (s)
- c. Clerk's File
- d. Law Dept.

RESOLUTION

FEBURARY 8, 2023

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

MESSAGE BUSINESS

- 01-23 Star Acupressure Center
751 Route 37 W
Toms River, NJ 08753**
- 02-23 Sunny Day Massage
1594 Route 9 Unit #8
Toms River, NJ 08753**
- 03-23 Asian Therapy
1201 Hooper Ave Unit 1060**

Toms River, NJ 08753

04-23 Oasis Bodywork & Spa
1808 Route 37 East
Toms River, NJ 08753

WHEAREAS, said applicants have complied with all the requirements of Ordinance numbers 1606 and 1682, Chapter 357, of the “Code of the Township of Toms River, New Jersey,” with respect to licensing; and

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

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

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ANTHONY BENYOLA, DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS, TO EXECUTE A COOPERATIVE SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS), WILDLIFE SERVICES (WS), FOR WILDLIFE DAMAGE MANAGEMENT, IN AN AMOUNT NOT TO EXCEED \$12,870,00

FEBRUARY 8, 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. Anthony Benyola, Director of the Department of Public Works is authorized to execute a Cooperative Service Agreement between the Township of Toms River and the United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS), Wildlife Services (WS), for wildlife damage management, in connection with Canada geese control at Huddy Park, Shelter Cove, and other properties owned by the Township of Toms River (new area adjacent to Huddy Park – old motel). A copy of the Agreement is attached to this resolution as Schedule “A”, and made a part hereof.
2. Funds for this service in the amount not to exceed \$12,870.00, are available in Account No. 3-01- -R20-534, contingent upon availability of funds and adoption of the CY23 Municipal Budget.
3. Term of Agreement shall become effective retroactive to February 1, 2023 and shall expire on September 30, 2023.
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) Business Administrator
- c) Township Council
- d) Department of Public Works
- e) Division Manager, Parks, Buildings & Grounds
- f) Certified Financial Officer

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO PM AM CORPORATION AS THE SOLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, FOR ALARM REGISTRATION AND MANAGEMENT SERVICES FOR THE TOMS RIVER POLICE DEPARTMENT

FEBRUARY 8, 2023

WHEREAS, the Division of Purchasing for the Township of Toms River has requested authorization to award a contract for Alarm Registration and Management Services for the Toms River Police Department; and

WHEREAS, only one bid was received on January 18, 2023 from the following vendor:

2023 ALARM REGISTRATION AND MANAGEMENT SERVICES FOR THE TOMS RIVER POLICE DEPARTMENT AWARD TAB

**PM AM CORP
5430 L BJ FRWY, SUITE 370
DALLAS, TX 75240**

#1-1Percentage Bid to be retained by the Bidder (service Supplier):	25%
#1-2Percentage (balance) to be remitted to the Township of Toms River	75%
Total:	100.00%

WHEREAS, the bid received was reviewed by the Division of Purchasing, the Finance Department and the Department of Police, and it is their recommendation to award a contract to PM AM Corporation, as the sole bidder, meeting all of the bid specifications:

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

1. It hereby awards a contract for Alarm Registration and Management Services for the Toms River Police Department to PM AM Corporation, as the sole bidder meeting all of the bid specifications, for a two (2) year term, commencing retroactive to January 24, 2023 through January 23, 2025. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. 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.

3. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the Township Council by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

4. 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) Certified Financial Officer
- c) Township Attorney
- d) Toms River Police Department

- e) PM AM Corporation
5430 LBJ Freeway, Suite 370
Dallas, TX 75240

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE REJECTION OF BIDS RECEIVED FOR THE 2023 SUPPLY OF STIHL AND HONDA REPAIR PARTS AND EQUIPMENT, AND AUTHORIZE THE APPROPRIATE TOWNSHIP OFFICIALS TO REBID FOR THIS EQUIPMENT

FEBRUARY 8, 2023

WHEREAS, bids were invited for the 2023 Supply of Stihl and Honda Repair Parts and Equipment; and

WHEREAS, only one bid was received on January 24, 2023 from the following vendor:

Ferguson Waterworks
507 Oak Glenn Road
Howell, NJ 07731

WHEREAS, the bid has been reviewed by the Purchasing Division and the Department of Public Works, and they have determined that the bid be rejected as non-responsive in terms of the bid specification requirements and conflicting discounts provided;

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:
follows:

1. It is in the best interest of the Township to reject the above-mentioned bid received as non-responsive in terms of the bid specification requirements and conflicting discounts provided.
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) Chief Financial Officer
 - c) Public Works
 - d) Bey Lea Golf Course
 - e) Ferguson Waterworks
507 Oak Glenn Road
Howell, NJ 07731

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF SPILLMAN SOFTWARE MAINTENANCE (FOR THE POLICE DEPARTMENT), FROM MOTOROLA SOLUTIONS, INC., UNDER THE PROPRIETARY SOFTWARE EXCEPTION TO PUBLIC BIDDING, IN THE TOTAL MAXIMUM AMOUNT OF \$143,456.88 FOR ONE YEAR, RETROACTIVE TO JANUARY 1, 2023 THROUGH DECEMBER 31, 2023

FEBRUARY 8, 2023

WHEREAS, the Division of Purchasing is requesting authorization to purchase Spillman Software Maintenance for the Police Department from Motorola Solutions, Inc., 500 West Monroe, Chicago, IL, 60661, pursuant to 40A:11-5(1)(dd), the support or maintenance of proprietary software exception to public bidding. The total for 2023 will be \$143,456.88 for one (1) year, retroactive to January 1, 2023 through December 31, 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 the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(dd), (the support or maintenance of proprietary software exception to public bidding), a contract is hereby awarded to Motorola Solutions, Inc. for the purchase of Spillman Software Maintenance for the Police Department.

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

Contract Awarded to:	Motorola Solutions, Inc. 500 West Monroe Chicago, IL 60661	
Maximum Amount:	\$143,456.88 for 1 year (retroactive to January 1, 2023 through December 31, 2023)	
Account Nos.:	3-01- -P43-535	\$ 5,934.14
	3-01- -A17-510	\$ 73,807.21
	3-01- -P44-535	\$ 28,775.67
	3-01- -P42-535	\$ 25,799.16
	3-01- -P40-510	\$ <u>9,140.70</u>
	Total:	\$ 143,456.88

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) Certified Financial Officer
- c) Township Attorney
- d) IT Department
- e) Police Department
- f) Motorola Solutions, Inc.
500 West Monroe
Chicago, IL 60661

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 A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIPS OF TOMS RIVER AND MANCHESTER, TO LINK THE SPILLMAN PUBLIC SAFETY SYSTEM (SPSS) FOR JOINT USE

FEBRUARY 8, 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 a Shared Services Agreement between the Townships of Toms River and Manchester to link the Spillman Public Safety Systems (SPSS) for joint use.

2. A copy of the Shared Services Agreement is attached to this resolution as Schedule "A", and made a part hereof.

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

- a) Mayor Maurice B. Hill, Jr.
 - b) Township Council
 - c) Business Administrator
 - d) Township Attorney
 - e) Certified Financial Officer
 - f) Purchasing Division
 - g) Toms River Police Department
 - h) Mayor Robert Arace
- Township of Manchester
1 Colonial Drive
Manchester, NJ 08759

RESOLUTION AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE TOMS RIVER TOWNSHIP BOARDS OF FIRE COMMISSIONERS DISTRICTS #1 AND #2 FOR SHARING IN THE YEARLY COST OF THE OPERATION AND MAINTENANCE CONTRACT FOR THE SPILLMAN COMPUTER AIDED DISPATCH SYSTEM COMMENCING RETROACTIVE TO JANUARY 1, 2023 THROUGH DECEMBER 31, 2025

FEBRUARY 8, 2023

WHEREAS, the Township of Toms River (“Toms River”) has purchased and owns a Spillman Technologies, Inc., Computer Aided Dispatch System, (“Spillman System”) which was installed at Police Headquarters; and

WHEREAS, Toms River and the Toms River Board of Fire Commissioners Districts #1 and #2 (“Boards of Fire Commissioners”) use the Spillman System for various purposes;

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Toms River Board of Fire Commissioners Districts #1 and #2, pursuant to N.J.S.A. 40A:65-1 et seq., which will provide for the sharing in the updated yearly cost of the operation and maintenance of the Spillman System commencing retroactive to January 1, 2023 through December 31, 2025.

2. The Boards of Fire Commissioners will reimburse Toms River for their share of the operation and maintenance cost on a quarterly basis.

3. This agreement will terminate on December 31, 2025. A copy of the executed agreement will be kept on file in the Office of the Township Clerk.

4. A copy of the Shared Services Agreement is attached to this resolution as Schedule “A”, and made a part hereof.

5. 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) Police Department
- d) Purchasing Division
- e) Toms River Township Boards of Fire Commissioners
District No. 1

- 1144 Hooper Avenue
Suite 306
Toms River, N.J. 08753
- f) Toms River Township Boards of Fire Commissioners
District No. 2
257 Warner Street
Toms River, N.J. 08755
 - g) Department of Recreation
 - h) U.S. Department of Agriculture Animal and Plant Health Inspection Service
Wildlife Services
Aaron Guikema, State Director
140-C Locust Grove Road
Pittstown, NJ 08867-4049
 - i) Nicole Rein, Wildlife Biologist
USDA-APHIS –Wildlife Services
350 Corporate Boulevard
Robbinsville, NJ 08691
 - j) Lisa Spinelli, Budget Analyst
140 C Locust Grove Road
Pittstown, NJ 08867

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING RESOLUTION DATED DECEMBER 28, 2022, DUE TO A TYPOGRAPHICAL ERROR AND THE OMISSION OF QUALIFIERS ON SCHEDULE “A”, WHICH IMPOSED CHARGES FOR UNPAID PROPERTY REGISTRATION FEES INCURRED UNDER CHAPTER 473-8C OF THE TOWNSHIP CODE AS LIENS ON REAL PROPERTY, AND DIRECTED THE TAX COLLECTOR TO COLLECT THESE COSTS, AND IMPOSE INTEREST IN THE SAME MANNER AS PROVIDED FOR IN THE COLLECTION OF REAL ESTATE TAXES IN THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY

FEBRUARY 8, 2023

WHEREAS, resolution of the Township Council dated December 28, 2022 imposed charges for unpaid property registration fees incurred under Chapter 473-8C of the Township Code as liens on real property, and directed the Tax Collector to collect these costs, and impose interest in the same manner as provide for in the collection of real estate taxes in the Township of Toms River, Ocean County, New Jersey; and

WHEREAS, there was a typographical error and the omission of Qualifiers on Schedule “A” attached to the aforementioned resolution; and

WHEREAS, resolution dated December 28, 2022 is hereby amended as follows:

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. Due to a typographical error and the omission of Qualifiers on Schedule “A” on resolution dated December 28, 2022, it hereby authorizes a revised Schedule “A” attached hereto and to be made a part of said resolution dated December 28, 2022.

2. All other terms and conditions of the original resolution will remain in full force and effect.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Certified Financial Officer

- d) Township Attorney
- e) Tax Collector
- f) Tax Assessor
- g) Division of Parks, Buildings and Grounds
- h) Code Enforcement
- i) Department of Public Works
- j) All individuals and entities identified in Schedule A attached

Schedule "A"
Certification of Costs

Ordinance 473-11

<u>Block</u>	<u>Lot</u>	<u>qual</u>	<u>Address</u>	<u>Filing Date</u>	<u>Fee Due</u>	<u>Interest Accurat Date</u>
693.16	23		821 Bay Avenue	7/29/22	\$500.00	8/09/22
192.02	101		19 Yellowstone Drive	8/5/22	\$500.00	8/16/22
572	11	C0145	57 Turnberry Circle	7/19/22	\$2500.00	7/30/22
135	2.02	C1904	1904 Breckenridge Place	8/29/22	\$500.00	9/09/22
192.31	40		1644 Mt Everest Lane	9/22/22	\$500.00	10/3/22
192.13	18		33 Palisades Drive	9/20/22	\$2000.00	10/01/22
950.10	1		3114 Ocean Road	8/29/22	\$2000.00	9/09/22
641	5		41 North Gateway	10/18/22	\$1000000	1/29/22
794.43	9		17 Venetian Court	9/29/22	\$290.00	10/10/22
572	6.03		112 Lilac Drive	9/22/22	\$500.00	10/03/22
533.07	8		32 Sutton Place	10/5/22		\$500.00 10/16/22
1094.04	23		508 Batchelor St	7/13/22		\$500.00 7/24/22
271	22		66 Sixteenth St	9/15/22		\$500.00 9/26/22

If there are any questions concerning these liens, please contact Craig Ambrosio at 732-341-1000, ext 8417.

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

FEBRUARY 8, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision, known as Block 410, Lot 10 & 11.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL STATE OF NEW JERSEY, as follows:

1) Cash Bond in the amount of \$69,135.00 currently on deposit in account # 3-14- -902-101 is hereby released with applicable interest:

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

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

**RESOLUTION AUTHORIZING A SHARED SERVICES
AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER
AND THE TOMS RIVER FIRE COMMISSIONERS DISTRICT NO. 2, PURSUANT
TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT, N.J.S.A.
40A:65-1 to 35 TO PERMIT THE FIRE DISTRICT TO FUEL ITS VEHICLES
FROM TOWNSHIP FACILITIES**

FEBRUARY 8, 2023

WHEREAS, the Township of Toms River and the Fire District are both public bodies which serve many of the same taxpayers; and

WHEREAS, it is in the public interest for the Township of Toms River and the Fire District to cooperate in providing services so as to reduce costs to taxpayers; and

WHEREAS, it is deemed in the public interest for both entities to share such equipment, resources, and expertise;

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 Mayor is hereby authorized to execute and Township Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Toms River Fire Commissioners District No. 2, to permit the Fire District to fuel its vehicles from Township facilities.

2. The term of this Agreement shall be commence retroactive to January 1, 2023 through December 31, 2027. A copy of the agreement is attached to this resolution as Schedule "A" and made a part hereof.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Toms River Fire Commissioners
District No. 2
257 Warner Street
Toms River, N 08755

A motion was made by Council Member Geoghegan, seconded by Council Member Quinlisk, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Quinlisk, Rodrick, and 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 OFFICE OF THE OCEAN COUNTY PROSECUTOR FOR THE 2023 PROSECUTOR'S PROGRAM (FORMERLY KNOWN AS THE FATAL ACCIDENT SUPPORT TEAM, F.A.S.T.)

FEBRUARY 8, 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 Municipal Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Office of the Ocean County Prosecutor for the Prosecutor's Program - 2023 (formerly known as the Fatal Accident Support Team - F.A.S.T.), for the term commencing retroactive to January 1, 2023 and terminating 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) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Grant Coordinator
- f) Police Department, Attn: Chief Mitchell Little
- g) Certified Financial Officer
- h) Ocean County Board of Commissioners
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Ocean County Prosecutor's Office
Attn: Robert Parlow
Vehicular Homicide Unit
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191

A motion was made by Council Member Quinlisk, 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 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 135 LOT 5.01 (Route 70 & Yale Avenue)

February 8, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 135, Lot 5.01.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Bond # FP0025971 in the amount of \$29,040.00 is hereby 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 the acceptance of the Maintenance Guarantees;

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) Previously posted Surety Bond # FP0024456 in the amount of \$174,240.00 is hereby released;
- 2) Previously posted Safety & Stabilization Bond # FP0024457 in the amount of \$6,533.88 is hereby released;
- 3) Previously posted Cash Bond in the amount of \$19,360.00 in account # 3-14- -902-101 is hereby released with applicable interest if any;
- 4) Maintenance Bond listed in the preamble hereof be and the same is hereby retained;
- 5) Township Clerk shall send a certified copy hereof to each of the following:
 - a. Township Engineer
 - b. Chief Financial Officer
 - c. Township Attorney
 - d. K-Land No. 3 LLC
433 River Road
Highland Park NJ 08904

. REPORTS

A motion was made by Council Member Quinlisk, 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

	2023	2022
Building Permits – January	\$309,697.00	\$320,258.00
Building Permits – YTD through January	\$309,697.00	\$320,258.00

Recreation Department

	2023	2022
Bey Lea Golf Course- January	\$7,381.70	\$286.45
Bey Lea Golf Course- YTD through January	\$7,381.70	\$286.45
Winding River Ice Rink- January	\$167,300.99	\$121,546.99
Winding River Ice Rink- YTD through January	\$167,300.99	\$121,546.99

APPROVAL OF BILLS

Council President Lotano asked for a report on the bills.

The Bill List, dated **February 2, 2023**, was approved on motion by Council Member Rodrick, 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 23-00642, payable to Imwoth LLC-AutoShred NJ in the amount of \$1,240.00.

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

Purchase Order 23-00500, payable to Silverton First Aid Squad in the amount of \$98.60.

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

Purchase Order 23-00116, 23-00119, & 23-00188, payable to Owen Little & Associates in the amount of \$25,982.43.

Purchase Order 23-00500, payable to Silverton First Aid Squad in the amount of \$98.60

Purchase Order 22-04349, payable to A.C. Hesse LLC., in the amount of \$260.00.

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

Purchase Order 2222-00144, 22-00151, & 22-01633, payable to Citta, Holzapfel, Zabarsky in the amount of \$8,577.21

Purchase Order 23-00518, payable to Magistrate Salaries in the amount of \$1,301.05.

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

Purchase Order 23-00552, payable to Hands For All in the amount of \$192.30.

Purchase Order 23-00113, & 23-00195, payable to Remington & Vernick Engineers In the amount of \$6,391.25.

Council Member Rodrick – NONE

ELECTED OFFICIALS COMMENTS

Council Members Kopp, Lamb, Quinlisk, Rodrick, and Geoghegan had no comments.

Councilman Ciccozzi mentioned there is more commercial development than residential; storm drains being fitted on Brookside Drive, and March 13 Ciba Geigy Meeting.

Mayor Hill spoke regarding Monday March 13 Meeting for NJDEP BASF Settlement; Toms River Township received North Star Award from Boy Scouts; and shared service agreement for garbage pickup with Island Heights had benefitted both towns.

Council President Lotano commended council on efforts with Ciba Geigy; Ocean County Prosecutor held meetings last week police and community regarding the death of Tyre Nichols in Tennessee.

PUBLIC COMMENTS

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

Jolene Lucas, Holiday City, claims neighbors have been stealing from her and Attorney Greg McGuckin asked resident not to make criminal accusations in a public council meeting.

Art Anderson, 12 Park Street, thanked Mayor and Council for Beach replenishment. Mayor Hill mentioned that the state is covering majority of cost and commissions.

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

On motion by Council Member Rodrick, seconded by Council Member Quinlisk to reopen the public meeting.

Council President Lotano made note to change meeting dates.

No other business appearing, the meeting was **adjourned** at 6:34 P. M., on motion with Council Member Geoghegan, seconded by Council Member Lotano, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and Council President Lotano voting yes.

MATTHEW LOTANO, COUNCIL PRESIDENT

MICHAEL CRUOGLIO, TOWNSHIP CLERK