

March 23, 2022

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at 6:02 PM.

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

Council President Geoghegan 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 Saturday, **January 8, 2022**, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Monday, **January 31, 2022**, 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 Monday, **January 3, 2022**. 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 via by phone
Council Vice-President Lotano	- Present
Council President Geoghegan	- Present

APPROVAL OF MINUTES

A motion was made by Council Member Kopp, seconded by Council Member Lotano, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, and Council President Geoghegan voting yes, and with Council Member Rodrick abstaining, to approve the Minutes of the **Regular Meeting of March 9, 2022**. 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 Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, Rodrick, and with Council President Geoghegan voting yes, to make the following honoring proclamations a part of the Minutes.

Township of Toms River
Proclamation
National Library Week 2022

WHEREAS, libraries of all types are at the heart of their cities, towns, schools, and campuses, serving their communities; and

WHEREAS, today's libraries and their services extend far beyond the four walls of a building and everyone is welcome to use their resources; and

WHEREAS, libraries offer opportunities for everyone to explore new worlds through access to technology, multimedia content, and educational programs; and

WHEREAS, to adapt to our changing world, libraries are expanding their resources and continuing to meet the needs of their patrons; and

WHEREAS, libraries have long served as trusted and treasured institutions of the community promoting the free exchange of information and ideas for all; and

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate *National Library Week.*

NOW, THEREFORE, be it resolved that We, Mayor Maurice B. Hill, and Kevin M. Geoghegan, Council President of the Township of Toms River, with the full concurrence of the Township Council, proclaim *National Library Week April 3-9, 2022.* During this week, we encourage all residents to visit the *Ocean County Library* online or in person to access resources and services.

Mayor Maurice B. Hill, Jr.

*Kevin M. Geoghegan
Council President*

David Ciccozzi

Joshua D. Kopp

Justin D. Lamb

Matthew W. Lotano

Daniel T. Rodrick

Jim Quinlisk

Mayor Hill and Police Chief Little introduced Police Officer Pat Dellane who was promoted to Deputy Chief.

Mayor Hill administered the Oath of Office.

Police Chief Little introduced the following Police Officers by their award:

Class C Award :
John R. Marsicano

Class B Award:
Detective Louis A. Santora

Officer Brian D. Appleby
Officer Michael S. MacDonald

Life Saving Award:

Officer Darrell Williams
Officer Michael Foy
Safety Officer Steven Schwartz

A short recess was held and the meeting reconvened with all members present.

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

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

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$12,320,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,732,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Toms River, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$12,320,500, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$588,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., now available by virtue of provision in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$11,732,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

i) paving and roadway improvements, including the 2022 Paving Program, planning and design for Township wide drainage and dredging improvements and the 2022 Roadway Elevation Project, with a total appropriation and estimated cost of \$7,435,000, an estimated maximum amount of bonds or notes therefor of \$7,080,000, and an average period of usefulness of twenty (20) years;

ii) the purchase and replacement of various vehicles and equipment, including, but not limited to, various acquisitions for the Department of Public Works, including, but not limited to, sanitation equipment, street sweeping equipment, dump trucks, bucket trucks, roll off boxes, various acquisitions for the Department of Parks, Buildings and Grounds, including, but not limited to, mowers, various acquisitions for Recreation Department, including, but not limited to, golf course mowers, blowers and utility vehicles, acquisition of a beach patrol quad; various acquisitions for the Police Department beach patrol 4x4's and uplifts for the; various acquisitions for the IT Department, including, but not limited to, firewall and computer

equipment and various acquisitions for the Office of Emergency Management/Community Service Office, including, but not limited to, ambulance, and equipment, with a total appropriation and estimated cost of \$3,550,500, estimated amount of bonds and notes therefor of \$3,381,000, and an average period of usefulness of 10.99887 years; and

iii) improvements to Township properties, including, but not limited to, improvements to Deer Hollow Park; dune and walkover repairs, culvert relining at Holiday City, Tidal Creek stream design and permits, breakwater repair at Dillons Creek, design for Spray Park, a Pavilion, upgrades to the Township public pool snack bar, acquisition of a storage shed, bunker and cart path reconstruction and sprinklers, replacement of the air conditioning at the Township Building and various renovations to the Township Police Department including, but not limited to, the lobby door and carpeting, with a total appropriation and estimated cost of \$1,335,000, estimated amount of bonds and notes therefor of \$1,217,000, and an average period of usefulness of 14.09539 years,

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$11,732,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$12,320,500, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$12,320,500 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$588,500 down payment for said purposes.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 16.76627 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$11,732,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$727,500 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

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

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

**CERTIFICATE OF MUNICIPAL CLERK
EXTRACT OF MINUTES
SHOWING INTRODUCTION OF ORDINANCE**

I, ALISON CARLISLE, Municipal Clerk of the Township of Toms River, in the County of Ocean, State of New Jersey, HEREBY CERTIFY that the annexed extract from the minutes of a meeting of the governing body of said Township, duly called and held on March 9, 2022, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said governing body and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to Bond Ordinance No. _____ and the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township, this 9th day of March, 2022.

TOWNSHIP OF TOMS RIVER, IN THE
COUNTY OF OCEAN, NEW JERSEY

ALISON CARLISLE,
Municipal Clerk

(SEAL)

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), held on March 9th, 2022. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal

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Offices, 33 Washington Street, Toms River, New Jersey, on March 23rd, 2022, at 6:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

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

TITLE: BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$12,320,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$11,732,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY.

Purpose(s): Providing for the following capital improvements and/or acquisitions: i) paving and roadway improvements, including the 2022 Paving Program, planning and design for Township wide drainage and dredging improvements and the 2022 Roadway Elevation Project, ii) the purchase and replacement of various vehicles and equipment, including, but not limited to, various acquisitions for the Department of Public Works, including, but not limited to, sanitation equipment, street sweeping equipment, dump trucks, bucket trucks, roll off boxes, various acquisitions for the Department of Parks, Buildings and Grounds, including, but not limited to, mowers, various acquisitions for Recreation Department, including, but not limited to, golf course mowers, blowers and utility vehicles, acquisition of a beach patrol quad; various acquisitions for the Police Department beach patrol 4x4's and uplifts for the; various acquisitions for the IT Department, including, but not limited to, firewall and computer equipment and various acquisitions for the Office of Emergency Management/Community Service Office, including, but not limited to, ambulance, and equipment, and iii) improvements to Township properties, including, but not limited to, improvements to Deer Hollow Park; dune and walkover repairs, culvert relining at Holiday City, Tidal Creek stream design and permits, breakwater repair at Dillons Creek, design for Spray Park, a Pavilion, upgrades to the Township public pool snack bar, acquisition of a storage shed, bunker and cart path reconstruction and sprinklers, replacement of the air conditioning at the Township Building and various renovations to the Township Police Department including, but not limited to, the lobby door and carpeting.

Appropriation: \$12,320,500

Bonds/Notes Authorized: \$11,732,000

Section 20 Costs: \$727,500

Useful Life: 16.76627 Years

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

NOTICE OF ADOPTION OF BOND ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the refunding bond ordinance published herewith has been finally adopted by the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, on March 23, 2022, and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

Michael Cruoglio, Deputy Township Clerk

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 Geoghegan announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith. There was no response.

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

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Council Member Kopp offered the following ordinance and moved its adoption, Council Member Lotano 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 Lotano	Yes
Council President Geoghegan	Yes

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

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

BOND ORDINANCE PROVIDING FOR THE DESIGN, CONSTRUCTION AND ERECTION OF RADIO TOWERS AND THE ACQUISITION OF EQUIPMENT IN CONNECTION THEREWITH, APPROPRIATING \$13,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$12,570,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY

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

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Toms River, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$13,200,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$630,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., now available by virtue of provision in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$12,570,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the obligations are to be issued consist of the design, construction and erection of three (3) radio towers in the Township for the purpose of supporting one or more antennas designed to transmit

or receive radio signals including self supporting monopole towers and, the acquisition of related equipment, including, but not limited to, site radio equipment, site antenna equipment, stand alone core equipment, dispatch consoles, end user equipment and all else necessary therefor or required in connection therewith, with a total appropriation and estimated cost of \$13,200,000, estimated amount of bonds and notes therefor of \$12,570,000, and an average period of usefulness of 13.05169 years,

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

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$12,570,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$13,200,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$13,200,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$630,000 down payment for said purposes.

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 13.05169 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$12,570,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$500,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

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

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

NOTICE OF PENDING BOND ORDINANCE

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), held on March 9th, 2022. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Offices, 33 Washington Street, Toms River, New Jersey, on March 23rd, 2022, at 6:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

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

TITLE: BOND ORDINANCE PROVIDING FOR THE DESIGN, CONSTRUCTION AND ERECTION OF RADIO TOWERS AND THE ACQUISITION OF EQUIPMENT IN CONNECTION THEREWITH, APPROPRIATING \$13,200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$12,570,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY.

Purpose(s): Providing for the design, construction and erection of three (3) radio towers in the Township for the purpose of supporting one or more antennas designed to transmit or receive radio signals including self supporting monopole towers and, the acquisition of related equipment, including, but not limited to, site radio equipment, site antenna equipment, stand alone core equipment, dispatch consoles, end user equipment and all else necessary therefor or required in connection therewith.

Appropriation: \$13,200,000

Bonds/Notes Authorized: \$12,570,000

Section 20 Costs: \$500,000

Useful Life: 13.05169 Years

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

NOTICE OF ADOPTION OF BOND ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the refunding bond ordinance published herewith has been finally adopted by the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, on March 23, 2022, and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such bond ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

Michael Cruoglio, Deputy Township Clerk

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 Geoghegan announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith.

Councilman Lotano spoke regarding the following Ordinance, and mentioned they have gotten prices down.

Councilman Lamb thanked Chief Little and Chief Financial Officer Tutelo for explaining the following Ordinance.

Councilman Rodrick mentioned they should have explored more shared service opportunities.

Councilman Geoghegan said we did look at various options and mergers, it didn't work because it was necessary for public safety.

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

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

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

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

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

Council Member Ciccozzi	Yes
Council Member Kopp	Yes
Council Member Lamb	Yes
Council Member Quinlisk	Yes
Council Member Rodrick	No
Council Vice-President Lotano	Yes
Council President Geoghegan	Yes

Council Member Lotano 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, VACATING ALL PUBLIC RIGHT AND INTEREST**

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**IN A 20-FOOT DRAINAGE EASEMENT, AND ACCEPTING DEDICATION OF AN 8-
FOOT DRAINAGE EASEMENT, ON PROPERTY DESIGNATED AS BLOCK 235,
LOT 100
(659 BAY VIEW DRIVE)**

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

1. There is hereby vacated all right, title, and interest of the public for all public use and purpose in the 20-foot wide drainage easement located on a portion of Block 235, Lot 100 (659 Bay View Drive) as more particularly set forth in the description attached hereto as Schedule "A".
2. The Township hereby accepts dedication of a replacement 8-foot wide drainage easement located on a portion of Block 235, Lot 100 (659 Bay View Drive) for public use as more particularly set forth in the description attached hereto as Schedule "B".
3. The Mayor is hereby authorized to execute and the Deputy Municipal Clerk to attest to all legal instruments, including but not limited to the deed to effectuate the vacation and dedication of the easements accomplished pursuant to this ordinance.
4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.
5. This ordinance shall take effect following its passage by the Township Council, approval by the Mayor, and 20 days after publication as required by law.
6. This ordinance is not legislative in nature and therefore need not be codified.
7. A copy of this ordinance shall be recorded in the Office of the Ocean County Clerk.

SCHEDULE "A" see attached

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on March 9, 2022 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 March 23, 2022 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.

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, March 25, 2022.

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

Council Member Lotano 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 383-5 (A), SUBSECTION 8 (b) (PRO SHOP FEES) OF CHAPTER 383 (PARKS, MUNICIPAL) OF THE TOWNSHIP CODE TO AMEND THE FEE FOR TERRY COVERS, FOR THE WINDING RIVER PARK ICE SKATING RINK FACILITIES

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

1. Section 383-5 (Park and recreation area fees and charges; rules and regulations), Section A (5) (Other programs), Subsection (8) (b)(Pro shop fees) of Chapter 383 (Parks, Municipal) of the Code of the Township of Toms River, New Jersey, is amended and supplemented, as follows:

A. The following fees and charges are hereby designated and established for the use of the Winding River Park ice-skating rink facilities:

(5) Other programs.

(8) Pro shop fees

(b) Pro shop: Fees for the pro shop are established as follows:

Item	Fee
White tape	(No change)
Black tape	(No change)
Laces, hockey	(No change)
Laces, figure	(No change)
Figure skate guards	(No change)
Hockey skate guards	(No change)
Mouth guards	(No change)
Tightener	(No change)
Clear tape	(No change)
Glow gloves	(No change)
Pro sports socks	(No change)
Grip tape	(No change)
Terry covers	\$20

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

3. All other parts of Chapter 383 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

4. 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.

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

A motion was made by Council Member Quinlisk, seconded by Council Member Lotano and carried, with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, and Council President Geoghegan voting yes, and with Council Member Rodrick abstaining, 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 March 9, 2022 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 March 23, 2022 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 DEPUTY 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, March 25, 2022.

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

Council Member Lotano mentioned we are the fourth highest gas tax in country.

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

RESOLUTON OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, URGING PRESIDENT BIDEN AND CONGRESS, AND GOVERNOR MURPHY AND THE STATE LEGISLATURE, TO SUSPEND FEDERAL AND STATE GASOLINE TAXES UNTIL 2024

MARCH 23, 2022

WHEREAS, the economic aftershocks of the COVID-19 pandemic, including supply chain disruptions and meteoric inflation, have strangled Americans' finances; and

WHEREAS, the economic pain has been exacerbated by the astronomical and unabated rise in gas prices, resulting from the Federal Government's failure to project strength in international affairs and to maintain the country's energy independence; and

WHEREAS, the Federal and State Governments have a responsibility to provide relief until these international and economic crises have subsided; and

WHEREAS, such relief is critical to supporting working Americans:

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

1. The Township Council strongly urges President Biden and Congress, and Governor Murphy and the State Legislature, to suspend federal and state gasoline taxes until 2024 to mitigate the impact of soaring inflation and energy prices on our overworked, overtaxed citizens.

2. A certified copy of this resolution shall remain on file in the Office of the Township Clerk and provided to the following parties:

- a. Mayor Maurice B. Hill, Jr.
- b. Business Administrator
- c. Certified Financial Officer
- d. Congressional Representatives
- e. Governor Murphy
- f. State Representatives

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 Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Qunlisk, Rodrick, and with Council President Geoghegan voting yes, to approve all the following items listed on the Consent Agenda except item **B, E, L, M, and P**, which were done separately.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT
OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK
1694.51 LOT 87, EFFECTIVE JANUARY 20, 2022 AND PROVIDING THAT
PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED
AND/OR REFUNDED**

March 23, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 1694.51 lot 87, located at 615 Brookside Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 20, 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 1694.51 lot 87 due on or after, January 20, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 1694.51 lot 87, if any, shall be refunded on a pro-rated basis from January 20, 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 413, LOT 21.02, QUALIFIER C0146, EFFECTIVE JANUARY 18, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

March 23, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 413 Lot 21.02 Qualifier C0146, located at 146 Golf View Blvd, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 18, 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 413 Lot 21.02 Qualifier C0146 due on or after, January 18, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 413 Lot 21.02 Qualifier C0146, if any, shall be refunded on a pro-rated basis from January 18, 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 AUTHORIZING AN OPEN-ENDED CONTRACT FOR THE SECOND AND FINAL EXTENSION OF THE EXISTING CONTRACT WITH TIMOTHY PETERS PLUMBING & HEATING, CO., INC., FOR LICENSED PLUMBER SERVICES, FOR ONE (1) YEAR COMMENCING APRIL 27, 2022 THROUGH APRIL 26, 2023

MARCH 23, 2022

WHEREAS, resolution of the Township Council dated May 14, 2019, authorized the award of a contract for Licensed Plumber Services to Timothy Peters Plumbing & Heating, Co., Inc., effective April 27, 2019 through April 26, 2021; and

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

WHEREAS, resolution of the Township Council dated April 13, 2021, authorized the first extension of the contract for Licensed Plumber Services to Timothy Peters Plumbing & Heating Co., Inc., commencing April 27, 2021 through April 26, 2022; and

WHEREAS, the Purchasing Division has determined that it would be in the best interest of the Township of Toms River to extend the contract for Licensed Plumber Services with Timothy Peters Plumbing & Heating, Co., Inc., for the second and final extension of the existing contract with Timothy Peters Plumbing & Heating, Inc., at the original contract rate, as follows:

1. Second Year:

Journeyman/Plumber Hourly Rate:	\$ 89.82
Apprentice Hourly Rate:	\$ 43.51
2. Cost of Materials above Dealer's Cost: 10%

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:11-15, and the specifications for the bid awarded on May 14, 2019, the Township authorizes the second and final extension of the existing contract with Timothy Peters Plumbing & Heating, Co., Inc. for Licensed Plumber Services, for one (1) year effective April 27, 2022 through April 26, 2023, at the original contract rates, as stated above.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Parks, Buildings & Grounds
- e) Timothy Peters Plumbing & Heating, Co., Inc.
P.O. Box 1847
Toms River, NJ 08754

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR THE MOBILE VENDING CONCESSION FOR CASTLE PARK I, II & III, TO DOWN THE SHORE ICE CREAM, LLC, AS THE HIGHEST RESPONSIBLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, IN THE AMOUNT OF \$8,800.00 PER YEAR/\$26,400.00 OVER THREE (3) YEARS, PAYABLE TO THE TOWNSHIP OF TOMS RIVER, EFFECTIVE APRIL 1, 2022 THROUGH MARCH 31, 2025 – THIRTY SIX (36) CONSECUTIVE MONTHS

MARCH 23, 2022

WHEREAS, bids were invited on March 11, 2022 for the Mobile Vending Concession for Castle Park I, II & III; and

WHEREAS, bids were received, as follows:

Down the Shore Ice Cream, LLC
16 A Lafayette Drive
Whiting, NJ 08759 \$ 8,800.00

A. Flat Concession Fee Per Annum for Three (3) Year Contract Term:

TOTAL FOR THREE(3) YEARS: \$26,400.00

April 1, 2022 through March 31, 2025 – Thirty-Six (36)
Consecutive Months

Castaway Kitchen LLC
990 Cedarbridge Ave, Suite B7- 216
Brick, NJ 08723 \$ 7,530.00

A. Flat Concession Fee Per Annum for Three (3) Year Contract Term:

TOTAL FOR THREE (3) YEARS: \$22,590.00

April 1, 2022 through March 31, 2025 – Thirty-Six (36)
Consecutive Months

Cool Concessions LLC
86 Mantoloking Road
Brick, NJ 08723 \$ 5,750.00

A. Flat Concession Fee Per Annum for Three (3) Year Contract Term:

TOTAL FOR THREE (3) YEARS: \$17,250.00

April 1, 2022 through March 31, 2025 – Thirty-Six (36)
Consecutive Months

Vendor must be able to supply three trucks to remain in all three parks as required in the specifications- No Exceptions.

WHEREAS, bids were reviewed by the Purchasing Division, and they have recommended that the contract be awarded to Down the Shore Ice Cream, LLC, as the highest responsible bidder, meeting all of the bid specifications, for the Mobile Vending Concession for Castle Park I, II, & III;

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

1. It hereby awards the contract for the Mobile Vending Concession for Castle Park I, II, & III, to Down the Shore Ice Cream, LLC, as the highest responsible bidder, meeting all of the bid specifications, as follows:

Down the Shore Ice Cream, LLC
16 A Lafayette Drive
Whiting, NJ 08759 \$ 8,800.00

A. Flat Concession Fee Per Annum for Three (3) Year Contract Term:

TOTAL FOR THREE(3) YEARS: \$26,400.00

April 1, 2022 through March 31, 2025 – Thirty-Six (36)
Consecutive Months

Fees Payable to the Township of Toms River.

2. The term of contract shall be effective April 1, 2022 through March 31, 2025.

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 governing body by resolution with the agreement of the vendor.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Recreation Department
- e) All Aforementioned bidders

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST EXTENSION OF AN OPEN-ENDED CONTRACT WITH DETACHABLE CONTAINER & COMPACTOR CORP. D/B/A DETCON, FOR THE SUPPLY OF LOADMASTER REPAIR PARTS REBID, FOR THE DEPARTMENT OF PUBLIC WORKS, COMMENCING APRIL 11, 2022 THROUGH APRIL 10, 2023

MARCH 23, 2022

WHEREAS, resolution of the Township Council dated June 23, 2020, authorized the award of an open-ended contract for the Supply of Loadmaster Repair Parts Rebid for the Department of Public Works, to Detachable Container & Compactor Corp. D/B/A Detcon, 5039 Industrial Rd #1, Farmingdale, NJ, 07727, commencing April 11, 2020 through April 10, 2022; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15, which allows for this 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 Department of Purchasing has determined it is in the best interest of the Township of Toms to extend this contract for the first additional one (1) year term, commencing April 11, 2022 through April 10, 2023; and

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

1. It hereby authorizes the first extension of the existing contract with Detachable Container & Compactor Corp. D/B/A Detcon, for the Supply of Loadmaster Repair Parts Rebid, for the Department of Public Works, for an additional one (1) year term, commencing April 11, 2022 through April 10, 2023, under the same terms and conditions as the original contract.

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

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

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) Department of Public Works
- e) Detachable Container & Compactor Corp. D/B/A Detcon
5039 Industrial Rd. #1
Farmingdale, NJ 07727

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE DEPUTY MUNICIPAL CLERK TO ATTEST TO A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE COUNTY OF OCEAN, FOR CLEAN COMMUNITIES EDUCATIONAL SERVICES
MARCH 23, 2022

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 Deputy Municipal Clerk to attest to a Shared Services Agreement between the Township of Toms River and the County of Ocean for Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 to 35, for Clean Communities Educational Services, attached hereto as Schedule "A".

2. A certified copy of this Resolution shall remain on file in the Office of the township Clerk and be provided to each of the following parties:

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Public Works Dept.
- g) County of Ocean
Board of Commissioners
Michele L. Gunther, Clerk of the Board
PO Box 2191
Toms River, NJ 08754

SCHEDULE "A" – SEE ATTACHMENT

RESOLUTION AUTHORIZING THE REPLACEMENT OF THE CLERK, ALISON L. CARLISLE WITH THE DEPUTY CLERK, MICHAEL C. CRUOGGIO TO SIGN CHECKS FOR ALL SUMS OF MONEY TO BE PAID BY THE TOWNSHIP OF TOMS RIVER

MARCH 23, 2022

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 replaces the Clerk, Alison L. Carlisle with the Deputy Clerk Michael C. Cruoglio to sign checks for all sums of money to be paid by the Township of Toms River in the year 2022 effective March 2022.

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. Mayor
- c. Business Administrator
- d. Township Clerk
- e. Chief Financial Officer
- f. Township Auditor

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST ONE (1) YEAR

March 23, 2022 20

EXTENSION OF THE OPEN-ENDED CONTRACT WITH GRANTURK EQUIPMENT CO., INC., FOR THE SUPPLY OF LABRIE REPAIR PARTS FOR THE DEPARTMENT OF PUBLIC WORKS, EFFECTIVE APRIL 11, 2022 THROUGH APRIL 10, 2023

MARCH 23, 2022

WHEREAS, resolution of the Township Council dated April 14, 2020, authorized the award of an open-ended contract for the Supply of Labrie Repair Parts for the Department of Public Works, to Granturk Equipment Co., Inc., commencing April 11, 2020 through April 10, 2022, with the option to extend the contract for up to two (2) additional one-year terms, upon the expiration of the original contract period, pursuant to N.J.S.A. 40:A11-15; and

WHEREAS, the Purchasing Division has determined that it is in the best interest of the Township to extend this contract for the first additional one (1) year extension term, commencing April 11, 2022 through April 10, 2023;

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

1. It hereby authorizes the first extension of the open-ended contract with Granturk Equipment Co., Inc., for the Supply of Labrie Repair Parts, commencing April 11, 2022 through April 10, 2023.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Granturk Equipment Co., Inc.
One Schuylkill Pkwy., Bldg. B
Bridgeport, PA 19405

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING CONTRACT TO VENDOR WITH STATE CONTRACT, CHAS S. WINNER INC. D/B/A WINNER FORD, FOR THE PURCHASE OF TEN (10) REPLACEMENT POLICE VEHICLES, FOR THE POLICE DEPARTMENT, FROM STATE CONTRACT NO. 20-FLEET-01189, IN THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$316,250.00

MARCH 23, 2022

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

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.4, (which allows for purchases without competitive bids from the New Jersey State Contract), and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. Contract with Chas S. Winner Inc. d/b/a Winner Ford, for the Purchase of Ten (10) Replacement Police Vehicles for the Department of Police, using, State Contract

No. 20-FLEET-01189, in the total maximum amount not to exceed \$316,250.00, as follows:

Vendor:

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

20-FLEET-01189

ITEM NO.	DESCRIPTION	QUANTITY	PRICE WITH 6% DISCOUNT
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Base Vehicle	2022 Police Interceptor Utility K8A AWD	8	\$29,763.00	\$238,104.00
YZ	Oxford White Exterior Paint	8	\$0.00	\$0.00
60R	Radio Noise Suppression	8	\$94.00	\$752.00
43D	Courtesy Lamps Disable	8	\$24.00	\$192.00
51T	Drivers Side LED Spotlight	8	\$394.00	\$3,152.00
549	Power Heated Mirrors	8	\$56.00	\$448.00
87R	Rear Camera Installed in Rear View Mirror - No Cost	8	\$0.00	\$0.00
76R	Reverse Sensing System	8	\$259.00	\$2,072.00
86T	Rear Taillights Pre-Drilled for Vertex's Remote Keyless Entry Key Fob (w/o Keypad, less PATS)	8	\$56.00	\$448.00
55F	Global Lock / Unlock Feature	8	\$320.00	\$2,560.00
18D	Police Engine Idle Feature	8	\$0.00	\$0.00
47A	Deflector Plate	8	\$244.00	\$1,952.00
76D	Pre-Wiring For Grille LED Lights, Siren, and Speaker	8	\$315.00	\$2,520.00
60A	Ford Telematics, with Modem & 2 Year Trial Subscription	8	\$47.00	\$376.00
61B	OBD-II Split Connector	8	\$0.00	\$0.00
				\$416.00
			Total:	\$252,992.00

Item #	Description	Quantity	6 % Discount	Total Cost
Base Vehicle	2022 Police Interceptor Utility K8A Base Vehicle - Unmarked	2	\$29,763.00	\$59,526.00
M7	Carbonized Gray Exterior Paint	2	\$0.00	\$0.00
65L	Wheel Covers	2	\$56.00	\$112.00
65U	Interior Upgrade Package	2	\$367.00	\$734.00
60R	Radio Noise Suppression	2	\$94.00	\$188.00
549	Power Heated Mirrors	2	\$56.00	\$112.00
87R	Rear Camera Installed in Rear View Mirror	2	\$0.00	\$0.00
76R	Reverse Sensing System	2	\$259.00	\$518.00
86T	Rear Taillights Pre-Drilled for Vertex's Remote Keyless Entry Key Fob (w/o Keypad, less PATS)	2	\$56.00	\$112.00
55F	Global Lock / Unlock Feature	2	\$320.00	\$640.00
18D	Police Engine Idle Feature	2	\$0.00	\$0.00
47A	Deflector Plate	2	\$244.00	\$488.00
76D		2	\$315.00	\$630.00

March 23, 2022 22

60A	Pre-Wiring For Grille LED Lights, Siren, and Speaker	2	\$47.00	\$94.00
	Ford Telematics, with Modem & 2 Year Trial Subscription	2	\$0.00	\$0.00
61B	OBD-II Split Connector	2	\$52.00	\$104.00
16D	Badge Delete	2	\$0.00	\$0.00
				\$63,258.0
Total:				0
Grand				\$316,250.
Total:				00

Contract with: CHAS S. WINNER INC.
D/B/A WINNER FORD
250 Berlin Road
Cherry Hill, NJ 08034

N.J. State Contract No. :
20-FLEET-01189

Maximum Amount: \$316,250.00

Account No. 2-01- -S75-242 - \$300,000.00
Account No. X-04-46-732-006 - \$ 16,250.00

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Police Department
- f) CHAS S. WINNER INC.
D/B/A WINNER FORD
250 Berlin Road
Cherry Hill, NJ 08034

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL EXTENSION OF THE CONTRACT WITH CITY FIRE EQUIPMENT CO., INC., FOR THE INSPECTION, TESTING, MONITORING, MAINTENANCE AND REPAIR SERVICES OF VARIOUS FIRE SYSTEMS INCLUDING PORTABLE FIRE EXTINGUISHERS, FIRE SUPPRESSION SYSTEMS, WATER BASED FIRE PROTECTION SYSTEMS AND FIRE & BURGLAR ALARMS FOR A ONE (1) YEAR TERM, COMMENCING APRIL 10, 2022 THROUGH APRIL 9, 2023

MARCH 23, 2022

WHEREAS, resolution of the Township Council dated April 10, 2018 authorized the award of a contract to Toms River Security Systems for Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems including Portable Fire Extinguishers, Fire Suppression Systems, Water-Based Fire Protection

Systems and Fire & Burglar Alarms, commencing April 10, 2018 through April 9, 2021; and

WHEREAS, resolution of the Township Council dated October 23, 2018 authorized an amendment to the resolution dated April 10, 2018, awarding a contract to Toms River Security Systems, Inc., to add the new Bey Lea Equipment Storage Building Truck Wash and Fueling Station location to Section 4 – Alarm Monitoring and Testing, at a monthly monitoring fee of \$30.00 per month in accordance with other monthly charges on the existing contract for the Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems Including Portable Fire Extinguishers, Fire Suppression Systems, Water Based Fire Protection Systems and Fire & Burglar Alarms through April 9, 2021; and

WHEREAS, resolution of the Township Council dated December 11, 2018, authorized Amendment II to the resolution dated April 10, 2018, awarding a contract to Toms River Security Systems, Inc., to add the Bey Lea Golf Course Clubhouse Burglar Alarm Monitoring to Section 3 of said contract, at a monthly monitoring fee of \$30.00 per month in accordance with other monthly charges on the existing contract for the Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems Including Portable Fire Extinguishers, Fire Suppression Systems, Water Based Fire Protection Systems and Fire & Burglar Alarms through April 9, 2021; and

WHEREAS, Toms River Security Systems had advised the Township that it had been purchased by City Fire Equipment Co., Inc.; and

WHEREAS, resolution of the Township Council dated February 23, 2022, accepted and authorized a name change from Toms River Security Systems to City Fire Equipment Co., Inc.; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15, which allows for the contract to be extended for no more than one (1) two-year, or two (2) one-year, extensions upon expiration of the original contract term; and

WHEREAS, the Department of Purchasing has determined that it would be in the best interests of the Township to award the second and final extension of the contract to City Fire Equipment Co., Inc., for one (1) year, commencing April 10, 2022 through April 9, 2023, 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 extension of the contract with City Fire Equipment Co., Inc., for Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems including Portable Fire Extinguishers, Fire Suppression Systems, Water-Based Fire Protection Systems and Fire & Burglar Alarms, for a one (1) year term, commencing April 10, 2022 through April 9, 2023, under the same terms and conditions as the original contract.

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

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

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) Department of Parks, Building and Grounds
- e) Bey Lea Golf Course
- f) Recreation Dept.
- g) City Fire Equipment Co., Inc.
733 Ridgedale Avenue, Suite 203
East Hanover, NJ 07936

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE BUSINESS ADMINISTRATOR TO EXECUTE A MUNICIPAL RECYCLING TONNAGE REPORT FORM FOR 2021 FOR SUBMISSION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY

MARCH 23, 2022

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Township Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed;

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 Business Administrator to execute the Municipal Recycling Tonnage Reporting Form for 2021, for submission to the Department of Environmental Protection and Energy.

2. It also authorizes the appropriate Township officials to execute any future related documentation in connection with this Municipal Tonnage Reporting Form.

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) Township Attorney
- d) Certified Financial Officer
- e) Public Works Department
- f) Business Administrator

- g) N.J. Department of Environmental Protection
Division of Solid & Hazardous Waste
Bureau of Recycling and Planning
401 East State Street
P.O. Box 402
Trenton, N.J. 08625-0402
- h) Ocean County Solid Waste Management Dept.
129 Hooper Avenue
Toms River, N.J. 08754
Attn: Recycling Coordinator

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO A NON-FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT WITH HOPLITE COMMUNICATIONS, LLC, FOR 5G CONSULTING SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE DEPUTY MUNICIPAL CLERK TO ATTEST TO ANY AND ALL DOCUMENTS ASSOCIATED WITH THE CONTRACT APPROVED HEREUNDER, CONTRACT TERM SHALL COMMENCE RETROACTIVE TO JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

(ALL FEES WILL BE PAID BY THE WIRELESS CARRIERS AS PASS THROUGH FEES)

MARCH 23, 2022

WHEREAS, the Township of Toms River has a need to obtain professional 5G Consulting Services for the Township; and

WHEREAS, Hoptite Communications, LLC, has performed 5G Consulting Services for the Township since 2020, and their services was proven to be professional and competent; and

WHEREAS, Hoptite Communications, LLC, has the needed experience and expertise to provide the Township with the required services in this highly technical and specialized area; and

WHEREAS, Hoptite Communications, LLC, has extensive history of project lead and participation in the wireless industry, i.e., Sprint Nextel, AT&T Mobility, and Verizon Wireless; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township of Toms River to continue to retain Hoptite Communications, LLC, for 5G Consulting Services for the Township; and

WHEREAS, Hoptite Communications, LLC, has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure form which certifies that the firm has not made any contributions in contravention of New Jersey's "Pay-to-Play Law", N.J.S.A. 19:44A-20.5 et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq., and Hoptite Communications, LLC, acknowledges that the contract will prohibit it from making any such contributions through the term of the contract; and

WHEREAS, all fees will be paid by the wireless carriers as pass through fees, pursuant to the professional services contract between the Township of Toms River and Hoptite Communications, LLC;

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 Township to enter into an agreement between the Township of Toms River and Hoplite Communications, LLC, for 5G Consulting Services, commencing retroactive to January 1, 2022 through December 31, 2022.

2. All fees will be paid by the wireless carriers as pass through fees, pursuant to the professional services agreement between the Township of Toms River and Hoplite Communications, LLC, attached hereto as Schedule "A". The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. Hoplite Communications, LLC, has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the firm has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which are on file in the Municipal Clerk's Office; and

4. The Township Council of the Township of Toms River, has determined that it is the best interest of the Township of Toms River to retain the services of Hoplite Communications, LLC, for 5G Consulting Services.

5. The Mayor is authorized to execute and the Township Clerk to attest to the agreement between the Township of Toms River and Hoplite Communications, attached hereto as Schedule "A".

6. 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) Engineering Division
- e) Public Works
- f) Hoplite Communications, LLC
197 Route 18, Suite 3000
East Brunswick, NJ 08816

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 VA CLINIC, BLOCK 605, LOT 421 (VARIOUS BLOCK AND LOTS) (1051 Hooper Avenue)

March 23, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as VA Clinic, Block 605, Lot 421.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #K40509227 in the amount of \$190,350.00 submitted by David E. Harvey Builders, Inc. which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$21,150.00 submitted by FDS Toms River, LLC. which represents the ten percent portion of the performance guarantee amount.
- 3) Surety Bond # K40509318 in the amount of \$40,837.38 submitted by David E. Harvey Builders, Inc. which represents the Safety and Stabilization guarantee.
- 4) Check in the amount of \$62,799.75 submitted by FDS Toms River, LLC 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 David E Harvey Builders, Inc. & FDS Toms River, 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. David E. Harvey Builders, Inc.
DBA Harvey-Cleary Builders
6710 A Rockledge Drive Suite 430
Bethesda, MD 20817
- e. FDS Toms River, LLC
1001 North 19th Street Suite 1401
Arlington, VA 22209

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS DOVER SHOPPING CENTER, BLOCK 410, LOT 25 (1515/1533 Lakewood Road)

March 23, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Dover Shopping Center, Block 410, Lot 25.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #2306228 in the amount of \$691,717.50 is hereby released;
- 2) Check in the amount of \$74,510.00 is hereby released with applicable interest;

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:

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Dover Shopping Center Associates, LLC
222 Haddon Avenue, Suite 100
Haddon Township, NJ 08108

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 BLOCK 535.03, LOT 1 AND 2 (Lakehurst Road)

March 23, 2022 28

March 23, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Block 535.03, Lot 1 & 2.

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

- 1) Maintenance Cash Bond in the amount of \$5,970.00 currently on deposit in account # 2-14- -902-101 is hereby released with applicable interest if any;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. R. Stone & Co, Inc.
432 Lakehurst Road
Toms River, NJ 08755

Council Member Rodrick questioned whether there is a need for more or less street lights?

Council Member asked if we get to see report from the vendor. Township Engineer Chankalian said yes.

Council Member Geoghegan said there are many lights out and this is money well spent on this study.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO TANKO STREETLIGHTING, INC., AS SOLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, FOR THE TOMS RIVER TOWNSHIP STREET LIGHT AUDIT AND SYSTEM TAKEOVER SUPPORT PROJECT, FOR PHASE I ONLY, AT THIS TIME, IN THE AMOUNT OF \$125,523.00

MARCH 23, 2022

WHEREAS, bids were invited on March 1, 2022, for the Toms River Township Street Light Audit and System Takeover Support Project; and

WHEREAS, only one bid was received, as follows:

Tanko Streetlighting, Inc.
220 Bayshore Blvd.
San Francisco, CA 94124

Phase 1 Audit

Cost Per Fixture \$13.50*

Phase 2 Street Light Ownership Support - Appraisal Fee	Cost Per Fixture \$1.35, (Phase 2b Design \$6.00 per fixture*)
Negotiation & Support Lump Sum	\$65,000.00
Assuming Takeover of System Progresses	Cost Per Fixture \$7.00
Alternate #1 Township Pole Labeling	Cost Per Fixture \$18.00*
Total Fee for All Work	\$491,313.30*

*Note: Based on 9,298 fixtures, per the amount noted in the utility bill provided as part of the Township's Addendum I documents

WHEREAS, the bid was reviewed by the Purchasing Division and Engineering Department, and they recommended that the award of contract be made to Tanko Streetlighting, Inc., as sole bidder meeting all of the bid specifications, for Phase I only of this project at this time, in the amount of \$125,523.00 (\$13.50 per fixture for Phase 1 multiplied by 9,298 fixtures);

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 Tanko Streetlighting, Inc., as sole bidder meeting all of the bid specifications, for the contract for Toms River Township Street Light Audit and System Takeover Support Project, for Phase I only of this project at this time, in the amount of \$125,523.00 (\$13.50 per fixture for Phase I multiplied by 9,298 Fixtures, and funds are available in Account No. X-04-47-082-117 - \$125,523.00.

2. This award of this contract is subject to all the terms and conditions of the bid specifications.

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) Department of Engineering
- e) Tanko Streetlighting, Inc.
220 Bayshore Blvd.
San Francisco, CA 94124

Art Anderson, 12 Park St, questioned if Army Corps is involved with this.

Township Engineer Chankalian said yes, and the Township need to be involved.

Council Member Lamb asked if it effects the taxpayers in Ward 1. Answer was yes.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING ROBERT J. CHANKALIAN, TOWNSHIP ENGINEER, TO EXECUTE A A NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GENERAL PERMIT #2 FOR THE COAST BEACH MAINTENANCE PROJECT, AND AUTHORIZING PAYMENT FOR THE REQUIRED

PERMIT FEE IN THE AMOUNT OF \$1,000.00

MARCH 23, 2022

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

1. Robert J. Chankalian, Township Engineer is hereby authorized to execute a New Jersey Department of Environmental Protection, General Permit #2 for the Coast Beach Maintenance Project, and authorizing payment for the required permit fee in the amount of \$1,000.00.

2. Funds for the payment for the required permit fee in the amount of \$1,000.00, are available in Account No. 2-01- -L23-534. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk

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

- a) Township Attorney
- b) Certified Financial Officer
- c) Township Engineer
- d) State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
PO Box 420
501 East State Street – Code 501-02A
Trenton, NJ 08625-0420

A motion was made by Council Member Lotano, seconded by Council Member Kopp and carried with Council Members Ciccozzi, Kopp, Lotano, Qjinlisk, Rodrick, and Council President Geoghegan 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 AN AMENDMENT TO RESOLUTION DATED JANUARY 26, 2022 (PART XI), WHICH AWARDED A CONTRACT FOR PROFESSIONAL SERVICES TO STEVEN A. ZABARSKY, ESQ., AS MUNICIPAL PROSECUTOR, BRIAN K. WILKIE, ESQ., BARRY A. STIEBER, ESQ. AND DAVID CASADONTE, ESQ. AS ALTERNATE MUNICIPAL PROSECUTORS, ALL OF THE FIRM OF CITTA, HOLZAPFEL & ZABARSKY, P.C., IN ORDER TO REMOVE DAVID CASADONTE, ESQ. AS ALTERNATE MUNICIPAL PROSECUTOR, AND TO ADD BRIAN M. BARTLETT, ESQ., AS ALTERNATE MUNICIPAL PROSECUTOR, FOR THE TOWNSHIP OF TOMS RIVER

MARCH 23, 2022

WHEREAS, the Township of Toms River has a need to acquire professional legal services for Municipal Prosecutor and Alternate Municipal Prosecutors, commencing January 27, 2022 up to and including December 31, 2022; and

WHEREAS, the Township solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq.; and

WHEREAS, resolution of the Township Council dated January 26, 2022 (Part XI), authorized a professional services contract with Steven A. Zabarsky, Esq. as Municipal Prosecutor, and Brian K. Wilkie, Esq., Barry A. Stieber, Esq. and David Casadonte, Esq., as Alternate Municipal Prosecutors, of the Law Firm of Citta, Holzapfel & Zabarsky, P.C., in the

total maximum amount not to exceed \$75,000.00 annually (\$6,250.00 on a monthly basis), for regular court sessions, plus \$2,600.00 for 4 special sessions at \$650.00 for each session, plus \$10,200.00 for 12 special driving while intoxicated sessions at \$850.00 each session, \$200.00 per municipal court session with regard to Zoning/Code Enforcement issues not to exceed \$9,200.00, for a total maximum amount not to exceed \$9,200.00, for a total of \$97,000.00 for CY22, contingent upon the execution of a contract, availability of funds and the adoption of the CY22 budget. Any additional duties requested by the Township will be billed at a rate of \$135.00 per hour, not to exceed \$10,000.00; and

WHEREAS, the Township has been notified by email dated March 7, 2022 from the Citta Law firm, to remove David Casadonte, Esq., as Alternate Municipal Prosecutor, and to add Brian M. Bartlett, Esq. as Alternate Municipal Prosecutor, for the Township of Toms River; and

WHEREAS, the Township Council wishes to acknowledge and agree to the removal of David Casadonte, Esq. as Alternate Municipal Prosecutor, and to add Brian M. Bartlett, Esq., as Alternate Municipal Prosecutor, for the Township of Toms River;

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

1. It hereby authorizes an amendment to the Resolution dated January 26, 2022 (Part XI), in order to remove David Casadonte, Esq., of the law firm of Citta, Holzapfel & Zabarsky, P.C., as Alternate Municipal Prosecutor, and add Brian M. Bartlett, Esq., of the Law Firm of Citta, Holzapfel & Zabarsky, P.C. as Alternate Municipal Prosecutor, for the Township of Toms River.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to an Amended Professional Services Agreement with Steven A. Zabarsky, Esq., as Municipal Prosecutor, Brian K. Wilkie, Esq., Barry A. Stieber, Esq. and Brian M. Bartlett, Esq., as Alternate Municipal Prosecutors, all of the Law Firm of Citta, Holzapfel & Zabarsky, P.C. All other terms and conditions of the original resolution and agreement will remain unchanged and in full force and effect.

3. The purpose of this amendment is to remove David Casadonte, Esq. as Alternate Municipal Prosecutor for the Township of Toms River, and add Brian M. Bartlett, Esq., as Alternate Municipal Prosecutor for the Township of Toms River. No additional money is required in connection with this resolution.

4. All other terms and conditions of the resolution dated January 26, 2022 (Part XI), are to remain in full force and effect.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Purchasing Division
- g) Municipal Court
- h) Citta, Holzapfel & Zabarsky, P.C.
248 Washington Street
Toms River, N.J. 08753
Attn: Steven A. Zabarsky, Esq.
Attn: Brian K. Wilkie, Esq.
Attn: Barry A. Stieber, Esq.
Attn: Brian M. Bartlett, Esq.

A motion was made by Council Member Lotano, seconded by Council Member Kopp and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Qjinlisk, and Council President Geoghegan voting no, and with Council Members Lamb and Rodrick voting yes, **to move to table at the next meeting on April 13, 2022.**

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS, TO DIRECT DEVELOPMENT LLC, FOR TOMS RIVER PUBLIC INFORMATION CONSULTING SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE DEPUTY MUNICIPAL CLERK TO ATTEST TO AN AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND DIRECT DEVELOPMENT LLC

MARCH 23, 2022

WHEREAS, proposals were received for Public Information Consulting Services through the competitive contracting process; and

WHEREAS, on March 1, 2022, the Township of Toms River received two (2) proposals for Public Information Consulting Services through the competitive contracting process in accordance with NJSA 40A:11-4.1 which allows for price and other factors. The results are as follows:

<u>Vendor Information</u>	<u>Pricing</u>
Direct Development LLC 97 Apple St., Suite 2 Tinton Falls, NJ 07724	Per Month: \$2,700.00 For 1 Year: \$32,400.00
TeliApp Corporation 401 North Wood Ave., 2 nd Floor weekends Linden, NJ 07036	Hourly: \$125/hr normal business hours \$150/hr non-normal business hours, and holidays Monthly: \$2,700/month for up to ten (10) hours per week

WHEREAS, the review committee for this solicitation consisted of Township Administrator Louis Amoruso and Purchasing Agent, Gail Catania; and

WHEREAS, before reviewing any proposals, each person on the committee reviewed the Ownership Disclosure Documents for each vendor and executed the statement certifying that there is no conflict of interest in accordance with the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq.; and

WHEREAS, Committee members reviewed the proposals separately and scored each vendor as follows:

	<u>Total Points</u>
TeliApp Corporation 401 North Wood Ave., 2 nd Floor	176

WHEREAS, the scores were based upon the following observations:

Direct Development LLC – Proposal was completed as to form, qualifications and experience for all employees who would be involved in the project. Employees had experience in New Jersey and local government agencies. Vendor has worked in Toms River and provided references for seven additional government agencies. Pricing is \$2,700.00 for 30 hours per month.

TeliApp Corporation – Proposal was complete as to form, included experience for main contact. Provided only one reference for a government agency. No experience in Toms River or Ocean County. Pricing \$2,700.00 for 10 hours per month.

WHEREAS, the Committee unanimously chose Direct Development LLC, Tinton Falls, New Jersey, at a total contract price of \$32,400.00 per year not to exceed 30 hours per month. If additional services are required, quote must be provided, approved and encumbered prior to work being completed; and

WHEREAS, at this time, the Township is only awarding \$24,300.00, and the remaining balance towards the cost of the first year of the contract will be contingent upon the availability of funds in the appropriate municipal budget year; and

WHEREAS, funds in the amount of \$24,300.00 are available in Account No. 2-01- -A04-534. The funds for the balance of the contract are available contingent upon the availability of funds in the appropriate municipal budget year;

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 Direct Development LLC for Public Information Consulting Services through the competitive contracting process, for a total maximum contract amount not to exceed \$32,400.00, with funds available as follows:

\$24,300.00 - available in Account No.: 2-01- -A04-534.

The remaining balance for the first year of the contract term are contingent upon funds being available in the appropriate municipal budget year.

2. The contract term will be from date of award, March 23, 2022, through March 22, 2023.

3. The report prepared pursuant to N.J.S.A. 40A:11-4.5 (d) was made publicly available more than 48 hours in advance of this award of contract. This report shall become part of the public record and shall reflect the final action of the governing body. Contracts shall be executed pursuant to section 14 of P.L.1971, c.198.

4. Pursuant to N.J.S.A.40A:11-4.5 (g), the Deputy Municipal Clerk shall publish a notice in the Township's official newspaper summarizing this award. This notice shall include, but not be limited to, the nature, duration, and amount of the contract, the name of the vendor and a statement that the resolution and contract are on file and available for public inspection in the Office of the Township Clerk.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Division of Purchasing
- e) Certified Financial Officer
- f) Township Attorney
- g) All Aforementioned Vendors

REPORTS – NONE

APPROVAL OF BILLS

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **March 18, 2022**, was approved on motion by Council Member Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, Rodrick, and with Council President Geoghegan voting yes. **The following respective exceptions to their votes were noted as abstentions to this vote:**

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

Purchase Order 22-01677, payable to United Healthcare Insurance in the amount of \$77,610.54.

Council Member Lotano – None

Council Member Ciccozzi – None

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

Purchase Order 22-01228, payable to Board of Fire Commissioners District 2 in the amount of \$702,997.13.

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

Purchase Order 22-01470, payable to Magistrate Salaries in the amount of \$6,937.41.

Purchase Order 22-01074, payable to Borough of Lavallette in the amount of \$1,216.11.

Purchase Order 22-01600, payable to Dasti, McGuckin attorneys at law in the amount of \$11,826.00.

Council Member Quinlisk – None

Council Member Rodrick – None

ELECTED OFFICIALS COMMENTS

Council Member Lamb spoke regarding Resolution 11. He thanked Toms River Fire Company for busy weekend with fire safety.

Council Member Quinlisk spoke regarding St. Stephens Church is still accepting donations for the Ukrainian victims. He thanked the First Department for their great job.

Council Member Lotano thanked the food distribution group for 2nd anniversary; first meeting of small business committee went well; Hidden History Trail Website – 20 locations around town. We keep our bonds at less than 1% very fiscally responsible.

Council Member Kopp had no comments.

Mayor Hill Thanked the Fire Department for their hard work over the weekend. He also spoke regarding the VA Clinic being build; Town received grant for road elevation; town hall improvements; thanked 6 Council Members who voted for FCC mandated bond ordinance.

Council Member Geoghegan thanked food district volunteers; he responded to 2 out of 3 fires over weekend. This Saturday is Toms River Elks fundraiser.

PUBLIC COMMENTS

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

Elizabeth Summing, we need people on Capital Project Committee; children need recreation, and people need help.

Todd Garris, 1932 Pinta Court, we were successful in our substantial damage appeal. Thanked Township Engineering Department and Mayor for assistance.

Mairin Bellack, Toms River Business Improvement District, we are having Spring Festival April 9th.

Rich Brihm, 2116 Midturn Road, Need to know new tax rates after revaluation.

Nicholas Huss, Somerset County 14 Overbrook Drive, speaking about gassing geese in Huddy Park with USDA contract- happening in June. Reaching out from Animal Protection League for a non-lethal response.

Frank Davis, 21 W. River Road, I was a football coach, we have to deal with geese and fecal matter in our parks and for the safety of our kids and community.

Janet Ratter, Somerset County, question if this was a new contract for gassing geese?

Craig Ambrosio, Building and Ground Department, this is for geese removal not euthanization and geese management plan.

Dana Tormolin, 105 Messenger Street, spoke regarding food distribution group and walk for homeless next weekend at 9:00 a.m.

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

No other business appearing, the meeting was **adjourned** at 7:35 P. M., on motion with Council Member Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, Rodrick, and Council President Geoghegan voting yes.

KEVIN GEOGHEGAN, COUNCIL PRESIDENT

MICHAEL CRUOGGIO, DEPUTY CLERK

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