

April 26, 2023

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 6:01 PM.

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

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

OPEN PUBLIC MEETINGS ACT
STATEMENT

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

Roll Call:

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

APPROVAL OF MINUTES

A motion was made by Council Member Lamb, seconded by Council Member Kopp, and carried with Council Members Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and Council President Lotano voting yes, and with Council Member Ciccozzi abstaining as he was not at the April 5, 2023 Council Member, to approve the Minutes of the **Regular Meeting of April 26, 2023**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

HONORING RESOLUTIONS AND PRESENTATIONS

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

Mayor Hill and Council Members presented proclamation to Girl Scout Gold Star Viviana Onofrietti.

Township of Toms River
Proclamation
Girl Scout Gold Award - Viviana Onofrietti

April 26, 2023

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

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

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

WHEREAS, Vivianna has been a member of the Girl Scouts of the Jersey Shore in Troop 50056 for 13 years, serving in many leadership positions, including CEO Advisory Board Career Day Coordinator; elected Regional Delegate of NJ; Color Run Committee; Community Service Organization; and currently as a Graduating Ambassador. She has volunteered to help at Magnolia Gardens Assisted Living Community Service; Thanksgiving food and coat drives; Hunger Relief Coast drive; Relay for Life Survivor Dinner server; children’s activities, litter clean-up and beach clean-up in Ocean County; soup kitchen server; community garden farming; holiday caroling at nursing homes; holiday instrumental concert; veterans grave wreaths. She is the National Anthem soloist for the award ceremony; and

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

WHEREAS, Vivianna’s Gold Award Project, is entitled “**Better with Books.**” This project involved book stations made from wood with several multi-level books included for Pre-K through 12th grade for children displaced in homeless and domestic violence shelters located in Ocean County; and

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

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

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

Maurice “Mo” B. Hill, Jr., Mayor

Matthew W. Lotano
Geoghegan
Council President
President

Kevin M.
Council Vice-

David Ciccozzi
Lamb

Joshua D. Kopp

Justin D.

Jim Quinlisk
Rodrick

Daniel T.

Mayor Hill and Council Members presented the following proclamation to the Representatives of Post 129 who were present. They presented poppies to everyone attending the meeting.

Township of Toms River



Poppy Proclamation



April 26, 2023

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, Poppies are worn and displayed as a symbolic tribute to our fallen and the future of living veterans and service members; and

WHEREAS, At the end of World War I, the American Legion adopted the poppy as a symbol of freedom and blood sacrificed by troops in wartimes; and

WHEREAS, The use of the poppy symbolically comes from the poem In Flanders Fields, which begins, “In Flanders Fields the poppies blow, between the crosses, row on row,” referring to the poppies that sprang up in the churned earth of battlefields across Belgium and France where soldiers died fighting; and

WHEREAS, The red poppy has been designated as a symbol of sacrifice of lives in all wars and the American Legion Family has long utilized the red poppy as its official flower; and

WHEREAS, The American Legion and its Ladies Auxiliary have pledged to remind America annually of this debt through the distribution of the memorial flower.

NOW, THEREFORE, I, Mayor Maurice B. Hill and the Township Council, do hereby support the *designation of May 26, 2023, as “National Poppy Day;”* and encourage all citizens, residents, and visitors in Toms River to pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

Maurice “Mo” B. Hill, Jr., Mayor

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Matthew W. Lotano
Geoghegan
Council President

Kevin M.
Council Vice-President

David Ciccozzi

**Joshua D. Kopp
Lamb**

Justin D.

Jim Quinlisk

Daniel T. Rodrick

Mayor Hill and Council Members presented proclamation to Samantha Convery.

Township of Toms River Proclamation

SAMANTHA CONVERY – VOLUNTEER

TOMS RIVER ANIMAL SHELTER
April 26, 2023

WHEREAS, Samantha (Sam) Convery has been an amazing asset at the Toms River Animal Shelter; and

WHEREAS, on January 29, 2023, our shelter received 20 rabbits. On February 4, 2023, the Toms River Animal Shelter received two more rabbits. Most of the rabbits were in need of a lot of care and attention due to their previous living environment; and

WHEREAS, Sam and her love of animals has played a pivotal role in the routine care, rehabilitation, and socialization on all 22 rabbits and other small animals that the shelter had and have in the shelter. Sam has been coming in multiple times a week (sometimes almost daily) to help support the rabbits in their journey of finding a forever home; and

WHEREAS, Sam has copious amounts of experience with small animals due to her inquisitive nature and experience caring for her own furry friends at home and has not only helped with the care of the rabbits, she has also shared her wealth of knowledge about rabbit general care, rabbit behavior, and safety from things such as toys to particular cages and food. Shelter staff have learned so much from Sam and appreciate the passion she has placed in making sure these rabbits are cared for to the best of all of our abilities; and

WHEREAS, Sam’s devotion to these small animals has not only put them on the best path of finding a forever home, but helped these critters feel loved and more at peace while here at our shelter.

NOW, THEREFORE, I, MAURICE B. HILL, JR., Mayor of the Township of Toms River, recognize Samantha (Sam) Convery for the time, love, and all around joy she has brought to not only to the employees and volunteers at the Toms River Animal Shelter, but to all the animals she has graced with her passion for helping those who need it most.

Maurice “Mo” B. Hill, Jr., Mayor

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Matthew W. Lotano
Geoghegan
Council President

Kevin M.
Council Vice-President

David Ciccozzi

Joshua D. Kopp

Justin D. Lamb

Jim Quinlisk

Daniel T. Rodrick

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING AMENDMENT NO. 3 TO THE HOOPER-CAUDINA REDEVELOPMENT PLAN

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

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

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

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

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

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

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

Michael Cruoglio, 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 Geoghegan, and carried that an Ordinance entitled:

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-61 (SCHEDULE III: NO STOPPING OR STANDING) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE TO REVISE NO STOPPING OR STANDING RESTRICTIONS ON WALCHEST DRIVE

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

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

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

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

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

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

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

Michael Cruoglio, 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 Geoghegan and carried that an Ordinance entitled:

ORDINANCE OF THE TOWNSHIP COUNCIL, OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, VACATING ALL PUBLIC RIGHT AND INTEREST IN A DRAINAGE EASEMENT ACROSS PROPERTY DESIGNATED AS BLOCK 235.02, LOT 17 (34 BLUE HERON DRIVE WEST)

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

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

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

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

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

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

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

Mayor Hill gave a presentation on the purchase of this land to help restore some funding from Toms River Schools.

Council Member Geoghegan 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, AUTHORIZING THE ACQUISITION, BY PURCHASE, FOR PRESERVATION AS OPEN SPACE OF BLOCK 233.24, LOT 36, AND A PORTION OF BLOCK 233.24, LOT 38, CONSISTING OF APPROXIMATELY 16.6 ACRES IN TOTAL, (100 SILVER BAY ROAD), ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, IN THE PURCHASE PRICE AMOUNT NOT TO EXCEED \$4.4 MILLION, TO BE PAID OUT OF THE OPEN SPACE TRUST FUND

WHEREAS, the Mayor and Township Council of the Township of Toms River wish to acquire for preservation as open space, Block 233.24, Lot 36, and a portion of Block 233.24, Lot 38, consisting of approximately 16.6 acres in total, (100 Silver Bay Road), as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey; and

WHEREAS, the Mayor and Township Council believe that this acquisition would be in the best interest of the Township of Toms River because it would expand the Township's open space inventory:

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

1. The Mayor and Township Council of the Township of Toms River wish to acquire for preservation as open space, Block 233.24, Lot 36, and a portion of Block 233.24, Lot 38, consisting of approximately 16.6 acres in total, (100 Silver Bay Road), as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey.
2. The purpose of this Ordinance is to promote the goal of expanding the Township's open space inventory.

3. The total purchase price for parcels acquired shall not exceed the sum of \$4.4 Million, to be paid out of the Open Space Trust Fund, established pursuant to Chapter 95 of the Township Code.

4. The Township of Toms River is empowered by N.J.S.A. 40A:12-5, et seq. to acquire lands or rights therein by purchase. The appropriate Township Officials are authorized to execute any and all documents necessary to complete the purchase.

5. If necessary, the Mayor is authorized to expend funds for any other necessary expert analysis, engineering or other professional service as may be required to acquire the Property. Such additional costs, if incurred, shall also be paid out of the Open Space Trust Fund, established pursuant to Chapter 95 of the Township Code.

6. Should any section, paragraph, sentence or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared severable.

7. 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.

8. Since this ordinance is not legislative in nature, it need not be codified.

A motion was made by Council Member Geoghegan seconded by Council Member Kopp 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 April 26, 2023 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on May 10, 2023 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

MICHAEL CRUOGLIO
TOWNSHIP CLERK

APPROVED AS TO FORM:
ANTHONY MERLINO
ASSISTANT TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Sunday, April 30, 2023.

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

Council Member Rodrick makes motion to table ordinance, Council Member Lamb offers a second.

Motion to table fails with Council Members Rodrick and Lamb voting yes, and Council Members Ciccozzi, Geoghegan, Kopp, Quinlisk and Lotano voting no.

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

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LAND FOR OPEN SPACE PURPOSES LOCATED AT 100 SILVER BAY ROAD IN THE TOWNSHIP OF TOMS RIVER AND APPROPRIATING \$4,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,285,000 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 \$4,500,000, including the sum of \$215,000 appropriated from the Township's Open Space Trust Fund to cover the cost of the down payment required by the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$4,285,000, 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 is the acquisition of land for open space purposes located in the Township, commonly known as 100 Silver Bay Road, designated on the municipal tax map as Block 233.24, Lot 36 and a portion of Block 233.24, Lot 238, consisting of approximately 16.6 acres in total, and including all rights or interests therein, and including all work and services necessary therefor or incidental thereto, with a total appropriation and estimated cost of \$4,500,000, estimated amount of bonds and notes therefor of \$4,285,000, and an average period of usefulness of 40 years,

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

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$4,285,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$4,500,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$4,500,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$215,000 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 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,285,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 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.

CERTIFICATE AS TO BOND ORDINANCE

I, MICHAEL CRUOGLIO, Municipal Clerk of the Township of Toms River, in the County of Ocean, New Jersey, HEREBY CERTIFY that annexed hereto is a true and complete copy of Bond Ordinance No. _____ which was introduced at a duly convened meeting of the Township Council on _____, 2023, and finally adopted at a duly convened meeting of the Township Council on _____, 2023.

IN WITNESS WHEREOF, I hereby set my hand and the seal of the Township this _____ day of _____, 2023.

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

MICHAEL CRUOGLIO, Municipal Clerk

(SEAL)

**TOWNSHIP OF TOMS RIVER
COUNTY OF OCEAN
BOND ORDINANCE NO. _____**

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 April 26, 2023. 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 May 10, 2023, 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 ACQUISITION OF LAND FOR OPEN SPACE PURPOSES LOCATED AT 100 SILVER BAY ROAD IN THE TOWNSHIP OF TOMS RIVER AND APPROPRIATING \$4,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,285,000 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): The acquisition of land for open space purposes located in the Township, commonly known as 100 Silver Bay Road, designated on the municipal tax map as Block 233.24, Lot 36 and a portion of Block 233.24, Lot 238, consisting of approximately 16.6 acres in total.

Appropriation: \$4,500,000

Bonds/Notes Authorized: \$4,285,000

Section 20 Costs: \$100,000

Useful Life: 40 Years

MICHAEL CRUOGLIO, Municipal Clerk
Township of Toms River
County of Ocean, New Jersey

A motion was made by Council Member Geoghegan seconded by Council Member Quinlisk that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 26, 2023 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on May 10, 2023 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

MICHAEL CRUOGLIO
TOWNSHIP CLERK

APPROVED AS TO FORM:
ANTHONY MERLINO
ASSISTANT TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Sunday, April 30, 2023.

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

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

THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$14,700,510 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$13,999,000 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 \$14,700,510, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$701,510 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 \$13,999,000, 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, but not limited to, the 2023 Paving Program, Township wide drainage and bulkhead improvements, the 2023 Roadway Elevation Project and the Downtown Toms River Loop Road Project, with a total appropriation and estimated cost of \$8,210,110, an estimated maximum amount of bonds or notes therefor of \$7,819,000, 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, an F-450 dump truck for the Bey Lea Golf Course, various acquisitions for the Department of Public Works, including, but not limited to, Robo trucks, a flail mower, a street sweeper, a roll-off truck, a 524 wheel loader, a tandem, F250 pick-up trucks, F150 pick-up trucks, various acquisitions and improvements for the Department of Parks, Buildings and Grounds, including, but not limited to, F550 replacement switch and go with plow, Toro Wormans, John Deere tractor and utility vehicles, F550 switch and go, and a chassis with aerial lift, vehicle upfits to outfit ten (10) new vehicles for the Township Police Department, and various acquisitions for the Office of Emergency Management/Community Service Office, including, but not limited to, Panasonic Toughbooks, Ferno Power X1 ambulance cot and an ambulance, with a total appropriation and estimated cost of \$4,605,000, estimated amount of bonds and notes therefor of \$4,385,000, and an average period of usefulness of 11.59008 years; and

iii) improvements to Township properties, including, but not limited to, Tide Creed stream cleaning, various renovations and improvements to the Township Police Department, including, but not limited to, the detective bureau and lobby, replacement of carpeting in the office for the Deputy Chief and Internal Affairs, records department improvements, garage door improvements and improvements to the entry door from the lobby door, various renovations and improvements for the Department of Public Works, including, but not limited to, construction of a concrete pad in front of garage bays, construction of a pole barn without doors and improvements to the employee parking lot and fence replacement for the Department of Building and Grounds, with a total appropriation and estimated cost of \$1,885,400, estimated amount of bonds and notes therefor of \$1,795,000, and an average period of usefulness of 12.32891 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 \$13,999,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$14,700,510, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$14,700,510 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$701,510 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 16.38171 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 \$13,999,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$702,900 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.

**TOWNSHIP OF TOMS RIVER
COUNTY OF OCEAN
BOND ORDINANCE NO. 4772-23**

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

April 26, 2023 14

Ocean, New Jersey (the "Township"), held on April 26, 2023. 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 _____, 2023, at __:__ 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 \$14,700,510 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$13,999,000 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, but not limited to, the 2023 Paving Program, Township wide drainage and bulkhead improvements, the 2023 Roadway Elevation Project and the Downtown Toms River Loop Road Project, (ii) the purchase and replacement of various vehicles and equipment, including, but not limited to, an F-450 dump truck for the Bey Lea Golf Course, various acquisitions for the Department of Public Works, including, but not limited to, Robo trucks, a flail mower, a street sweeper, a roll-off truck, a 524 wheel loader, a tandem, F250 pick-up trucks, F150 pick-up trucks, various acquisitions and improvements for the Department of Parks, Buildings and Grounds, including, but not limited to, F550 replacement switch and go with plow, Toro Wormans, John Deere tractor and utility vehicles, F550 switch and go, and a chassis with aerial lift, vehicle upfits to outfit ten (10) new vehicles for the Township Police Department, various acquisitions for the Office of Emergency Management/Community Service Office, including, but not limited to, Panasonic Toughbooks, Ferno Power X1 ambulance cot and an ambulance, and, (iii) improvements to Township properties, including, but not limited to, Tide Creed stream cleaning, various renovations and improvements to the Township Police Department, including, but not limited to, the detective bureau and lobby, replacement of carpeting in the office for the Deputy Chief and Internal Affairs, records department improvements, garage door improvements and improvements to the entry door from the lobby door, various renovations and improvements for the Department of Public Works, including, but not limited to, construction of a concrete pad in front of garage bays, construction of a pole barn without doors and improvements to the employee parking lot and fence replacement for the Department of Building and Grounds.

Appropriation: \$14,700,510
Bonds/Notes Authorized: \$13,999,000
Section 20 Costs: \$702,900
Useful Life: 16.38171 Years

MICHAEL CRUOGLIO, Municipal Clerk
Township of Toms River, County of Ocean, New Jersey

5.

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

I, MICHAEL CRUOGLIO, 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 April 26, 2023, 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. 4772-23 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 _____ day of _____, 2023.

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

April 26, 2023 15

MICHAEL CRUOGLIO,
Municipal Clerk

Councilman Rodrick makes a motion to TABLE ORDINANCE:

Councilman Ciccozzi	No
Councilman Kopp	No
Councilman Lamb	Yes
Councilman Quinlisk	No
Councilman Rodrick	Yes
Councilman Geoghegan	No
Council President Lotano	No

A motion was made by Council Member Kopp, seconded by Council Member Geoghegan that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on April 26, 2023 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on May 10, 2023 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

MICHAEL CRUOGLIO
TOWNSHIP CLERK

APPROVED AS TO FORM:
ANTHONY MERLINO
ASSISTANT TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Saturday, April 29, 2023.

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

Council Member Geoghegan 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 §348-8.11.1D OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE TOWNSHIP CODE TO REVISE THE REGULATIONS GOVERNING DRIVEWAY SETBACKS

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

April 26, 2023 16

1. Subsection D of §348-8.11.1D (Driveways) of Chapter 348 (Land Use and Development Regulations) of the Township Code is hereby amended and supplemented to provide as follows:

D. Driveways serving one-or two-family dwellings shall be no closer than five feet to a side or rear lot line, except that lots less than 4,000 square feet in lot area or 40 feet or less in lot width and properties located in the PRC Zone shall have driveways no closer than two feet to a side or rear lot line. See the related provisions of § 348-8.20(l)(6).

2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 348 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

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

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

A motion was made by Council Member Geoghegan, seconded by Council Member Kopp, 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 April 26, 2023 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on May 10, 2023 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

MICHAEL CRUOGLIO
TOWNSHIP CLERK

APPROVED AS TO FORM:
ANTHONY MERLINO
ASSISTANT TOWNSHIP ATTORNEY
MUNICIPAL BUILDING
33 WASHINGTON STREET
TOMS RIVER, NJ 08753

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Sunday April 30, 2023.

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

Marin Bellack from the Toms River BID spoke on their budget and how to hold more events with less costs.

A motion was made by Council Member Geoghegan, seconded by Council Member Kopp, and with all Council Members who were present voting yes, to approve the following Resolution:

**TOMS RIVER
BUSINESS IMPROVEMENT DISTRICT
BUDGET INTRODUCTION**

April 26, 2023

WHEREAS, the Toms River Township Business Improvement Budget is stated, below

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

1. It hereby adopts the Toms River Business Improvement District Budget for 2023 as:

S01 Ratables	\$173,969,300
S02 Ratables	\$ 61,812,100

Total 2023 Revenue to be raised by taxation

S01 Budget	\$257,400.00
S02 Budget	\$ 28,600.00

S01 Proposed 2023 Tax Rate	\$0.148
S02 Proposed 2023 Tax Rate	\$0.047

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

- a) Chief Financial Officer
- b) Township Attorney
- c) Township Auditor
- d) Tax Assessor
- e) Tax Collector
- f) Division of Local Government Services
101 S. Broad Street
P. O. Box 803
Trenton, NJ 08625-0803
- g) Ocean County Board of Taxation
118 Washington Street
Toms River, New Jersey 08753
- h). Toms River Business Improvement District
Toms River Business Development Corporation
53 Main Street
Toms River, NJ 08753

I, Michael Cruoglio, Municipal Clerk of the Township of Toms River, in the County of Ocean, hereby certify that this is a true and exact copy of a resolution approved by The Township Council at their regular meeting on April 26, 2023

Michael C. Cruoglio, RMC
Municipal Clerk

The foregoing Resolution was **APPROVED** on the following roll call vote:

April 26, 2023 18

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

CONSENT AGENDA

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

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

RESOLUTION

April 26, 2023

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

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

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

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

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

NAME	BLOCK	LOT	Qual/Year	Amount
LUTZ LAW GROUP, LLC IN TRUST FOR BRADSHAW EQUITIES	711	2	2018/4	\$67,958.04
			2019/4	
			2020/4	
			2021/4	
			2022/4	

			TOTAL:	\$67,958.04
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2. Township Clerk shall send a copy of this resolution to Township Auditor, Township Chief Financial Officer and Tax Collector.

Approved as to content:

RESOLUTION

April 26, 2023

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

MASSAGE BUSINESS

13-23 New Harmony Spa
 708 Fischer Blvd
 Toms River, NJ 08753

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

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

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

1. **The Township Clerk is hereby authorized to issue the licenses
Listed in the preamble hereof.**

2. **A certified copy of this resolution shall be provided by the Office of the
Township Clerk to each of the following:**
 - a. **Attorney**
 - b. **Chief of Police**
 - c. **Code Enforcement**
 - d. **Applicants listed above**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS
RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT
TO VISUAL COMPUTER SOLUTIONS (WHO SCORED HIGHEST AND MEETS ALL
OF THE BID SPECIFICATIONS), FOR SPECIAL DUTY MANAGEMENT &
SCHEDULING SERVICES, IN THE MAXIMUM CONTRACT AMOUNT NOT TO
EXCEED THE \$13,095.00 FOR THE ANNUAL SOFTWARE FEE**

APRIL 26, 2023

WHEREAS, Summary Report for Evaluation and Award of Special Duty Management & Scheduling Services prepared by Cassie Capparelli, Qualified Purchasing Agent; and

WHEREAS, on March 21, 2023, the Township of Toms River received here (3) proposals for the Special Duty Management & Scheduling Services RFP Rebid. Proposals were received as follows:

Hart Halsey, LLC
d/b/a Extra Duty Solutions
Waterview Drive, Suite 101
Shelton, CT 06485

Off Duty Management
1906 Avenue D, #200
Katy, TX 77493

Visual Computer Solutions
4400 Route 9 South, Suite 3500
Freehold, NJ 07728

WHEREAS, the Review Committee for this solicitation was Captain Mike Miller, Cpl. George Fernicola and Mandi Duncan; and

WHEREAS, before reviewing any proposals, each committee member reviewed the Ownership Disclosure Document for each vendor and executed the statement certifying that there is no conflict of interest in accordance with the Local Government with the Local Government Ethics Law, N.J.S.A. 40A:9-22 et seq.; and

WHEREAS, Committee members scored the vendors as follows:

<u>VENDOR</u>	<u>TOTAL</u> <u>/100 pts</u>
Visual Computer Solutions	96
Extra Duty Solutions	94.33
Off Duty Management	82

WHEREAS, based on history with the Township and years of experience in the field, the Committee recommended award to Visual Computer Solutions who scored well across the board; and

WHEREAS, Purchasing reviewed the proposal to determine that all paperwork was in order; and

WHEREAS, Visual Computer Solutions' proposed fees are as follows:

ADMINISTRATIVE FEE FOR PERFORMING SPECIAL DUTY MANAGEMENT SERVICES AND ON DUTY SCHEDULING SOFTWARE FEES PER THE BID SPECIFICATIONS	VISUAL COMPUTER SOLUTIONS 4400 ROUTE 9 SOUTH SUITE 3500 FREEHOLD, NJ 07728
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Traffic Fee Not to Exceed 9% per billing	8.0%
Security Fee Not to Exceed 5% per billing	5.0%
On Duty Scheduling Software Annual Fee	\$13,095

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:

April 26, 2023 21

1. It hereby awards the contract for the Special Duty Management & Scheduling Services RFP Rebid to Visual Computer Solutions, who scored highest and meets all of the bid specifications, for a total contract amount not to exceed \$13,095.00.

2. Funds for the annual software fee of \$13,095.00 are available in Account No. 3-01- -A17-510. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk. The award of this contract is subject to all terms and conditions of the bid specifications.

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Visual Computer Solutions
4400 Route 9 South, Suite 3500
Freehold, NJ 07728

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF EQUIPMENT TO UPFIT POLICE VEHICLES FOR THE DEPARTMENT OF POLICE, FROM ELITE VEHICLE SOLUTIONS, UTILIZING NJ STATE CONTRACT 17-FLEET-00749 IN THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$167,631.98

APRIL 26, 2023

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

1. The Division of Purchasing is requesting authorization to Purchase Equipment to Upfit Police Vehicles for the Department of Police, utilizing NJ State Contract 17-FLEET-00749, as follows:

Elite Vehicle Solutions
1000 Bennett Bld., Unit 6
Lakewood, NJ 08701
Contract # 17-FLEET-00749

**MARKED POLICE
CARS**

<u>Item #</u>	<u>Description</u>	<u>Quantity</u>	<u>Amount</u>	<u>Total</u>
SO NXT 54 RB/WA	SO SIGN LIGHTBAR 54" DUAL COLOR	8	\$2,219.25	\$17,754.00
SO UTILITY LB HOOK	FOR EXP ROOF RACK MPN:ENNLB 54"	8	\$82.50	\$660.00
EM INT DOME 5X3 GREY	INTER DOME LGHT MPN:EM INT DOME 5X3	8	\$59.40	\$475.00
CM SH MINI RADIO ALL BAND	RADIO ONLY TRI BAND SHRKEE W/REMOVEABLE WHIP	8	\$179.00	\$1,432.00
SO INT DOME LED R/W	DOME LIGHT UNIV MOUNT R/W LIGHT	8	\$75.35	\$602.80
EM UTILITY EB KIT	UTILITY FRONT HARNESS SYSTEM	8	\$364.50	\$2,916.00
EM SPKR 100J CW	100 WATT SIREN SPKR WATERPROOF CONN	16	\$243.54	\$3,896.64

	SO UTILITY SPKR BRKT	SPKR BRACKET	16	\$32.45	\$519.20
	EM UTILITY PB450L RBW CW	ALUM PUSH BUMPER WITH 4 INTEG TRI COLOR NFORCE LGHTS RBW 2FW 2 SIDE	8	\$1,066. 50	\$8,532.0 0
	EM UC INSERT BLUE CW	SO UC LED INSERT BLUE W/WATERPRF CONN	8	\$85.86	\$686.88
	EM UC INSERT RED CW	SO UC LED INSERT RED W/WATERPRF CONN	8	\$85.86	\$686.88
	SO UC TWIST- LOCK ADAPTER	SO TWISTLOCK ADPTR FOR LED INSERTS	16	\$3.30	\$52.80
	EL NF SD Red/BL/WT-C	NFORCE DECK/GRILL LIGHTS W/CONN	16	\$151.74	\$2,427.8 4
	EL UTILITY TAILIGHT KIT	TAILIGHT FLASHER KIT	8	\$175.50	\$1,404.0 0
	EM UTILITY HATCK KIT	HATCH HARNESS SYSTEM	8	\$364.50	\$2,916.0 0
	SO MPWR 4STM BLUE	FASCIA LIGHT W MOUNT 18" BLUE	8	\$114.95	\$919.60
	SO MPWR 4 STM RED	FASCIA LIGHT W MOUNT 18" RED	8	\$114.95	\$919.60
	TEC INT ORION LIGHT R/W	6' ROUND INT LIGHT R/W CHROME RING	16	\$101.56	\$1,624.9 6
	SO UTILITY NF REAR RB	NFORCE INTER FORD UTILITY REAR RB	8	\$899.80	\$7,198.4 0
sole	EL UTILITY CONSOLE	FOR UTILITY CONSOLE KIT WITH ARMREST AND CUPHOLDERS	8	\$549.72	\$4,397.7 6
	EL UTILITY DASH MOUNT	EL UTILITY DASH MT	8	\$588.06	\$4,704.4 8
	DB 9" PANAVISE	PANAVISE 9" SLIMLINE ADJUSTABLE ELECTRONICS BRACKET	8	\$31.00	\$248.00
	MAGIC MIC	MAGNETIC MIC HOLDER	8	\$46.00	\$368.00
	SO BP UTILITY CAN	SO BLUEPRINT OBD CAN DATA MODULE	8	\$343.20	\$2,745.6 0
	EL 500 KNOB CONTROLLER	SO 500 SERIES BLUEPRINT KNOB SIREN/LIGHT CONTROLLER	8	\$243.54	\$1,948.3 2
	SO BP SYNC	SO BLUEPRINT CAROCAR SYNC MODULE	8	\$278.85	\$2,230.8 0
	EM UTILITY CABIN KIT	MAIN HARNESS SYSTEM SIREN CONTROL	8	\$1,269. 00	\$10,152. 00
e	SM UTILITY 10XL	SETINA FRONT PARTITION RECESSED PANEL	8	\$811.28	\$6,490.2 4
	SM UTILITY 12VS Poly	SETINA REAR PARTITION COATED POLY	8	\$489.98	\$3,919.8 4
	SM UTILITY FLOOR PLAN	SETINA TPO PLASTIC FLOOR PAN	8	\$204.38	\$1,635.0 4
	SM UTILITY SEAT REPLACEMENT	SETINA FULL REPLACE TRANSPORT SEAT TPO PLASTIC CENTER PULL SEAT BELTS	8	\$802.36	\$6,418.8 8
	SM UTILITY WINDOW BAR	SETINA WINDOW BARRIER VS STEEL VERT	8	\$249.01	\$1,992.0 8
	SM STR BLAC- RAC	SETINA SINGLE T-RAIL WEAPON MOUNT	8	\$614.93	\$4,919.4 4
o	SM CARGO BOX ELEC DRAWER	SETINA ELEC DRAWER FOR CARGO BOX	8	\$348.07	\$2,784.5 6
	SM UTILITY CARGO BOX W/LOCK	SETINA CARGO BOX COMBO LOCK DRAWER OPEN TOP STORAGE TALL BRACKETS	8	\$1,382. 48	\$11,059. 84

Graphics	GRAPHICS REFLECT	GRAPHICS PACKAGE A	8	\$588.05	\$4,704.40
Illati	LABOR 8 VEHICLES	Hourly Rate \$85.00/Hr. 40 Hours/Vehicle, Including Customer Supplied: Lightbar, Siren, Radio, Camera System, E-Ticket, and GPS Opticom	332	\$85.00	\$28,220.00

UNMARKED POLICE CARS

Item #	Description	Quantity	Amount	Total
CM SH MINI RADIO ALL BAND	RADIO ONLY TR BAND SHARKEE W REMO WHIP	2	\$179.00	\$358.00
SO UTILITY SPKR BRKT	SPEAKER BRACKET	2	\$32.45	\$64.90
SO SPKR 100J	100 WT SPEAKER/SIREN	2	\$248.05	\$496.10
SO MPWR 3 STM RBW	SO MPOWER 3 FASCIA LIGHT 18" FRONT GRILL	4	\$133.10	\$532.40
EM US INSERT RED CW	SO UC LED INSERT RED FRT HEADLIGHTS	2	\$85.86	\$171.72
EM US INSERT BLUE CW	SO UC LED INSERT BLUE FRT HEADLIGHTS	2	\$85.86	\$171.72
SO UC TWIST LOCK ADT	SO TWISTLOCK ADAPTER FOR LED INSERTS	4	\$3.30	\$13.20
SO UTILITY NF FRONT 3POD R/W B/W	SO NFORCE INTERIOR FRONT DUAL COLOR	2	\$899.80	\$1,799.60
EL NF SD R/B/W C	NFORCE DECK/GRILL LED LIGHT R/B/W SIDES	4	\$151.74	\$606.96
EL UTILITY TAILGT KIT WH	TAILLIGHT FLASHER KIT REAR LIGHTS	2	\$175.50	\$351.00
SO UTILITY NF REAR RB	SO NFORCE INTERIOR REAR RB REAR WINDOW	2	\$899.80	\$1,799.60
SO BP CONTROL HANDHELD	SO BP CONTROLLER HANDHELD CONSOLE	2	\$124.85	\$249.70
EL UTILITY ADMIN KIT	KIT FOR ADMIN/DET PACKAGE	2	\$729.00	\$1,458.00
WT SUV FULL	WINDOW TINT SUB FULL VEHICLE	2	\$425.00	\$850.00
WT STRIP	WINDOW TINT FRONT STRIP	2	\$75.00	\$150.00
LABOR	HOURLY LABOR	47	\$85.00	\$3,995.00

TOTAL: \$167,631.98

2. Funds in the total maximum amount not to exceed \$167,631.98, are available in Account No. X-04- -253-205.

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
- e) Police Department
- f) Elite Vehicle Solutions
1000 Bennett Blvd., Unit 6
Lakewood, NJ 08701

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 2022 FOR SUBMISSION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND ENERGY

APRIL 26, 2023

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 2022, 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 AWARD
OF A NEGOTIATED, OPEN ENDED CONTRACT FOR SELECT ITEMS FOR THE
SUPPLY OF GRASS SEED, FERTILIZER, HERBICIDES, FUNGICIDES,
INSECTICIDES, INFIELD MIX, TOP DRESSING & BUNKER SAND TO GRASS
ROOTS TURF PRODUCTS, INC., WHO MEETS ALL OF THE BID SPECIFICATIONS**

APRIL 26, 2023

WHEREAS, the Division of Purchasing requests authorization to award a contract for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand; and

WHEREAS, eight (8) bids were received at the initial bid opening on February 9, 2023, and initial awards were approved at the March 7, 2003 Council meeting; and

WHEREAS, no bids were received during the rebid opportunity on March 28, 2023; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(3)(a), negotiations were invited from eleven (11) bidders. Grass Roots Turf Products, Inc. was the sole bidder to respond to the Township's request; and

WHEREAS, negotiated prices from Grass Roots Turf Products, Inc. were reviewed by the Division of Purchasing and Bey Lea Golf Course personnel, and bids will be awarded as follows:

Grass Roots Turf Products, Inc., for negotiated Item Nos.: 5-8, 6-15, 6-18, 6-22, 6-25, 6-26, 6-35, 6-51.

Item No. 5-1 received no bids and shall be purchased on the open market as needed.

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 negotiated contract for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand, as follows:

Grass Roots Turf Products, Inc.: for negotiated Item Nos.: 5-8, 6-15, 6-18, 6-22, 6-25, 6-26, 6-35, 6-51.

Item No. 5-1 received no bids and shall be purchased on the open market as needed.

2. This contract shall be open-ended with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate budget year. The award of this contract is subject to all the terms and conditions of the bid specifications.

3. The Term of Contract shall be effective from date of award through March 10, 2024.

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

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

- a) Division of Purchasing
- b) Certified Financial Officer
- c) Township Attorney
- d) Bey Lea Golf Course
- e) Grass Roots Turf Products, Inc.
P. O. Box 336
Mount Freedom, NJ 07970

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF OPEN-ENDED CONTRACTS FOR THE SUPPLY OF PRINTED FLAT FORMS, LETTERHEAD AND ENVELOPES, TO CONCEPT PRINT, ENVELOPES & PRINTED PRODUCTS, INC., PARSELLS PRINTING, RIDGEWOOD PRESS AND URNER BARRY PUBLICATIONS, INC., WHO MEET ALL BID SPECIFICATIONS

APRIL 26, 2023

WHEREAS, bids were invited for the Supply of Printed Flat Forms, Letterhead & Envelopes; and

WHEREAS, bids were received on March 21, 2023, from the following vendors:

Ridgewood Press 609 Franklin Turnpike Ridgewood, NJ 07450	Concept Print 40 Lydecker St Nyack, NY 10960	Envelopes & Printed Products, Inc. 135 Fairview Ave. Prospect Park, NJ 07508
Parsells Printing 938 Spring Valley Rd. Maywood, NJ 07607	Urner Barry Publications Inc. 1001 Corporate Circle, Ste 1 Toms River, NJ 08755	

WHEREAS, the bids have been reviewed by the Purchasing Division and All Departments, and it is their recommendation that contracts be awarded to the following vendors who meet all the bid specifications:

Items 1-1, 2-2, 3-2, 3-3, 3-5, 3-6, 4-4, 4-5, 5-1, 5-2 and 11-1 were awarded to the vendor with the lowest overall average price for the section, per bid specifications and to resolve tied pricing.

Concept Print - for Item Numbers: 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 8-1, 13-2, 13-4, 14-4, 14-5, 14-6, 14-7, 14-9, 14-11, 14-17, 16-2, 16-3, 17-1, 17-2, 20-1, 20-2, 20-3, 20-5, 20-6, 20-7, 20-9, 20-10, 20-12, 23-3, 24-1, 24-2, 24-3, 24-4, 24-5, 24-6, 24-7, 24-8, 24-9, 24-10, 24-11, 24-12, 24-13, 24-14, 24-16, 24-17, 24-18, 24-19, 24-20, 24-21, 24-22, 24-23, 24-24.

Envelopes & Printed Products, Inc. - for Item Numbers: 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 8-2.

Parsells Printing - for Item Numbers: 6-1, 6-2, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 9-1, 14-2, 14-3, 14-10, 17-3, 17-8, 17-10, 21-1, 21-4, 23-1.

Ridgewood Press - for Item Numbers: 1-1, 1-2, 1-3, 1-4, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 8-3, 8-4, 8-6, 10-2, 10-3, 11-1, 11-2, 11-3, 11-4, 11-5, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 13-1, 13-5, 14-8, 14-12, 14-13, 14-14, 14-15, 14-16, 14-18, 14-19, 15-1, 15-2, 15-3, 16-1, 17-4, 17-5, 17-6, 17-7, 17-9, 19-1, 20-4, 20-13, 20-14, 20-15, 20-16, 21-2, 21-3, 24-15.

Urner Barry Publications, Inc. - for Item Numbers: 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 8-5, 10-1, 13-3, 14-1, 18-1, 18-2, 20-8, 20-11, 22-1, 23-2.

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

1. It hereby awards contracts for the Supply of Printed Flat Forms, Letterhead and Envelopes to the following vendors who meet all the bid specifications:

Items 1-1, 2-2, 3-2, 3-3, 3-5, 3-6, 4-4, 4-5, 5-1, 5-2 and 11-1 were awarded to the vendor with the lowest overall average price for the section, per bid specifications and to resolve tied pricing.

Concept Print - for Item Numbers: 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 8-1, 13-2, 13-4, 14-4, 14-5, 14-6, 14-7, 14-9, 14-11, 14-17, 16-2, 16-3, 17-1, 17-2, 20-1, 20-2, 20-3, 20-5, 20-6, 20-7, 20-9, 20-10, 20-12, 23-3, 24-1, 24-2, 24-3, 24-4, 24-5, 24-6, 24-7, 24-8, 24-9, 24-10, 24-11, 24-12, 24-13, 24-14, 24-16, 24-17, 24-18, 24-19, 24-20, 24-21, 24-22, 24-23, 24-24.

Envelopes & Printed Products, Inc. - for Item Numbers: 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 3-1, 3-2, 3-3, 3-4, 3-5, 3-6, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 8-2.

Parsells Printing - for Item Numbers: 6-1, 6-2, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 9-1, 14-2, 14-3, 14-10, 17-3, 17-8, 17-10, 21-1, 21-4, 23-1.

Ridgewood Press - for Item Numbers: 1-1, 1-2, 1-3, 1-4, 4-1, 4-2, 4-3, 4-4, 4-5, 4-6, 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 8-3, 8-4, 8-6, 10-2, 10-3, 11-1, 11-2, 11-3, 11-4, 11-5, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 13-1, 13-5, 14-8, 14-12, 14-13, 14-14, 14-15, 14-16, 14-18, 14-19, 15-1, 15-2, 15-3, 16-1, 17-4, 17-5, 17-6, 17-7, 17-9, 19-1, 20-4, 20-13, 20-14, 20-15, 20-16, 21-2, 21-3, 24-15.

Urner Barry Publications, Inc. - for Item Numbers: 7-1, 7-2, 7-3, 7-4, 7-5, 7-6, 7-7, 7-8, 7-9, 7-10, 7-11, 7-12, 8-5, 10-1, 13-3, 14-1, 18-1, 18-2, 20-8, 20-11, 22-1, 23-2.

2. These contracts shall be open-ended with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The award of these contracts are subject to all the bid specifications.

3. These contracts shall be in effect retroactive to April 24, 2023 through April 23, 2024. The Township shall have the option to extend the contract for two (2) additional one-year extensions pursuant to N.J.S.A. 40A:11-15, contingent upon the approval of the governing body by resolution with the agreement of the vendor.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) All Departments
- e) All Aforementioned Bidders

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF VARIOUS RADIOS FOR POLICE VEHICLES FROM MOTOROLA SOLUTIONS, INC., UTILIZING STATE CONTRACT #83909, IN THE TOTAL AMOUNT NOT TO EXCEED \$86,802.50, AND AUTHORIZING THE PURCHASE OF VARIOUS RADAR EQUIPMENT FOR POLICE VEHICLES FROM APPLIED CONCEPTS, UTILIZING STATE CONTRACT 17-FLEET-00726, IN THE TOTAL AMOUNT NOT TO EXCEED \$4,240.00, FOR A COMBINED MAXIMUM AMOUNT NOT TO EXCEED \$91,042.50

APRIL 26, 2023

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

1. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. It hereby authorizes State Contract No. 83909 which expires April 30, 2023, for the Purchase of Various Radios for Police Vehicles from Motorola Solutions, Inc., 153 Cooper Road, West Berlin, NJ, 08091, for a total contract amount not to exceed \$86,802.50, as follows:

M37TSS9PW1A N	APX8500 ALL BAND MOBILE	10	\$3,577. 50	\$35,775. 00
GA09008AA	ADD: GROUP SERVICES.	10	\$112.50	\$1,125.0 0
GA09007AA	ADD: OUT OF THE BOX WIFI PROVISIONING.	10	\$0.00	\$0.00
G851AG	ADD: AES/DES-XL/DES-OFB ENCRYP APX AND ADP	10	\$599.25	\$5,992.5 0
G831AD	ADD: SPKR 15W WATER RESISTANT	10	\$45.00	\$450.00
G996AS	ENH: OVER THE AIR PROVISIONING.	10	\$75.00	\$750.00
GA01579AB	ADD: COVERT WIFI GLASSMOUNT 2.4/5 GHZ.	10	\$57.75	\$577.50
GA00255AF	ADD: 5Y ESSENTIAL ACCIDENTAL DAMAGE	10	\$317.00	\$3,170.0 0
GA00580AA	ADD: TDMA OPERATION.	10	\$337.50	\$3,375.0 0
G51AT	ENH:SMARTZONE.	10	\$1,125. 00	\$11,250. 00
G892AB	ENH:HAND MIC,GCAI WTR RESISTANT APX.	10	\$54.00	\$540.00
GA09001AA	ADD: WI-FI CAPABILITY.	10	\$225.00	\$2,250.0 0
G298AS	ENH: ASTRO 25 OTAR W/ MULTIKEY	10	\$721.50	\$7,215.0 0
GA01580AA	ADD: COVERT GNSS GLASSMOUNT LMR100.	10	\$57.75	\$577.50
G89AC	ADD: NO RF ANTENNA NEEDED	10	\$0.00	\$0.00
G444AH	ADD: APX CONTROL HEAD SOFTWARE	10	\$0.00	\$0.00
G67EH	ADD: REMOTE MOUNT E5 MP.	10	\$222.75	\$2,227.5 0
QA03399AA	ADD: ENHANCED DATA APX	10	\$112.50	\$1,125.0 0

GA01517AA	DEL: NO J600 ADAPTER CABLE NEEDED	10	\$0.00	\$0.00
G806BL	ENH: ASTRO DIGITAL CAI OP APX	10	\$386.25	\$3,862.50
GA01670AA	ADD: APX E5 CONTROL HEAD.	10	\$429.00	\$4,290.00
GA01630AA	ADD: SMARTCONNECT.	10	\$0.00	\$0.00
G361AH	ENH: P25 TRUNKING SOFTWARE APX.	10	\$225.00	\$2,250.00
			Subtotal:	\$86,802.50

3. It hereby authorizes State Contract No. 17-FLEET-00726 which expires May 14, 2023, for the Purchase of Various Radar Equipment for Police Vehicles from Applied Concepts, 855 E. Collins Blvd., Richardson, TX, 00726, for a total contract amount not to exceed \$4,240.00, as follows:

<u>Item #</u>	<u>Description</u>	<u>Quantity</u>	<u>Amount</u>	<u>Total</u>
200-1379-00	FI SUV CU/DISPLAY/ANTENNA MOUNT	8	\$92.00	\$736.00
200-1378-00	FI SUV REAR ANTENNA MOUNT	8	\$113.00	\$904.00
155-2591-02	2' ANTENNA CABLE IP67	8	\$72.00	\$576.00
155-2591-20	20' ANTENNA CABLE IP67	8	\$133.00	\$1,064.00
200-0622-00	VSS CABLE KIT	8	\$120.00	\$960.00
			Sub Total:	\$4,240.00

4. The total combined maximum amount not to exceed \$91,042.50, with funds available in accordance with Township Agreements, are available in Account No. X-04- -253-205.

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) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Motorola Solutions, Inc.
153 Cooper Road
West Berlin, NJ 08091
- f) Applied Concepts
855 E. Collins Blvd.
Richardson, TX 00726

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, REJECTING ALL BIDS RECEIVED FOR THE 2023 PICKLEBALL COURTS AT CHADWICK BEACH AND SNUG HARBOR, AND AUTHORIZING REBID OF THIS PROJECT

APRIL 26, 2023

WHEREAS, the Division of Purchasing is requesting authorization to reject all bids received for the 2023 Pickleball Courts at Chadwick Beach and Snug Harbor; and

WHEREAS, two (2) bids were received at the bid opening on April 4, 2023 from the following vendors:

Nickolaus Construction Co., Inc.
PO Box 2322
Vincentown, NJ 08088

Safe-t-Site LLC
123 Briscoe Drive
Toms River, NJ 08753

WHEREAS, the bids have been reviewed by the Purchasing Division and the Recreation Department, and they have recommended that all bids be rejected, pursuant to N.J.S.A. 40A:11-13.2(b) for exceeding budgetary estimates for this project;

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:11-13.2(b), it hereby rejects the above-mentioned bids, as they substantially exceed the estimated budget for this project.
2. It hereby authorizes the appropriate Township Officials to advertise for rebid of this project.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Township Attorney
 - d) Recreation Dept.
 - e) All Aforementioned bidders

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, REJECTING BIDS RECEIVED FOR 2023 AUCTION SERVICES FOR SURPLUS PROPERTY, IN ORDER TO REVISE SPECIFICATIONS FOR THE POLICE DEPARTMENT, AND AUTHORIZE REBID OF THIS PROJECT, AS WELL AS UTILIZE A STATE AUTHORIZED CONTRACT FOR OTHER DEPARTMENTS

APRIL 26, 2023

WHEREAS, the Division of Purchasing is requesting authorization to reject bids submissions for the 2023 Auction Services for Surplus Property bid; and

WHEREAS, four (4) bids were received at the bid opening on March 28, 2023 from the following vendors:

Auction Liquidation Services/USGOVBID
300 Commerce Drive, 1st Floor
Tinton Falls, NJ 07753

Liquidity Services Operations LLC
100 Capitol Commerce Blvd., Ste 110
Montgomery, AL 346117

JJ Kane Auctions

33 Inverness Center Parkway
Birmingham, AL 35242

PropertyRoom.com, Inc.
5257 Buckeystown Pike, Ste 475
Frederick, MD 21704

WHEREAS, the bids have been reviewed by the Purchasing Division and the Police Department, and they have recommended that all bids be rejected, pursuant to N.J.S.A. 40A:11-13.2. Specifications will be revised to satisfy the Police Department's specific auction needs and then rebid; and

WHEREAS, other Township departments will utilize State Authorized Contract #19-GNSV1-00696, Bid #19DPP00272, Description T2581 – Auctioneering Services: Internet Auctions to Sell Surplus Property;

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

1. Pursuant to N.J.S.A. 40A:11-13.2, it hereby rejects the above-mentioned bids.
2. Specifications will be revised to satisfy the Police Department's specific auction needs and then rebid.
3. Other Township departments will utilize State Authorized Contract #19-GNSV1-00696, Bid #19DPP00272, Description T2581 – Auctioneering Services: Internet Auctions to Sell Surplus Property.
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) Police Department
 - e) Public Works
 - f) All Aforementioned bidders

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF AN OPEN-ENDED CONTRACT WITH CITY FIRE EQUIPMENT CO., AS THE SOLE BIDDER WHO MEETS THE BID SPECIFICATIONS, 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 AND BURGLAR ALARMS, IN THE TOTAL MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$235,000.00 OVER THREE (3) YEARS, EFFECTIVE RETROACTIVE TO APRIL 10, 2023 THROUGH APRIL 9, 2026

APRIL 26, 2023

WHEREAS, bids were invited 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 and Burglar Alarms; and

WHEREAS, no bids were received at the initial bid opening on March 14, 2023; and

WHEREAS, one (1) bid was received from the following vendor at the rebid opening on March 30, 2023, as follows:

City Fire Equipment Co.
733 Ridgedale Avenue
East Hanover, NJ 07936

WHEREAS, the bid has been reviewed by the Division of Purchasing and Public Works, and it is their recommendation that a contract be awarded to City Fire Equipment Co., 733 Ridgedale Avenue, East Hanover, NJ, 07936, as the sole bidder who meets all the bid specifications, in the total maximum contract amount of \$235,000.00 over three (3) years, as follows:

Funds for Alarm Monitoring are available as follows:

3-01- -R20-531 \$1,890.00
3-13- -911-014 \$ 270.00
3-26- -B91-531 \$1,350.00
3-31- -I47-531 \$ 540.00

Total: \$4,050.00 (prorated 7 months for 2023)
Annual Total: \$5,760.00

Funds for Inspections are available as follows:

3-01- -R20-531 \$5,525.00
3-26- -B91-531 \$ 800.00
3-31- -I47-531 \$2,300.00

Total: \$ 8,625.00 annually

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 City Fire Equipment Co., as the sole bidder who meets all the bid specifications, 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 and Burglar Alarms, in the total maximum contract amount of \$235,000.00 over three (3) years, as follows:

Funds for Alarm Monitoring are available as follows:

3-01- -R20-531 \$1,890.00
3-13- -911-014 \$ 270.00
3-26- -B91-531 \$1,350.00
3-31- -I47-531 \$ 540.00

Total: \$4,050.00 (prorated 7 months for 2023)
Annual Total: \$5,760.00

Funds for Inspections are available as follows:

3-01- -R20-531 \$5,525.00
3-26- -B91-531 \$ 800.00
3-31- -I47-531 \$2,300.00

Total: \$ 8,625.00 annually

2. This contract shall be open-ended for remaining items with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget.

3. The Term of Contract shall be for thirty-six (36) consecutive months effective retroactive to April 10, 2023 through April 9, 2026. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one-year terms, contingent upon the approval of the governing body by resolution and with the agreement of the vendor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and

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

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Public Works
- e) City Fire Equipment Co.
733 Ridgedale Avenue
East Hanover, NJ 07936

RESOLUTION AUTHORIZING TOMS RIVER TOWNSHIP, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING AMUSEMENT GAMES LICENSE APPLICATION FOR BARNACLE BILL’S, INC.

April 26, 2023

WHEREAS, the Township of Toms River has adopted an ordinance to provide for the licensing, conduct, operation and playing of certain amusement games in accordance with the “Amusement Licensing Law” (Chapter 109, P.I. 1959) and fixed the fees for said licenses; and

WHEREAS, the ordinance provides for all of the premises to which licenses are to be issued which are located in this municipality which said municipality has heretofore been designated by Ordinance No. 4458-14 as a seashore. or resort area with parts hereof customarily constituting an amusement or arcades can operate lawfully: and

WHEREAS, the barrier island sections of the Township qualify as seashore or resort areas in which designated amusements or entertainment zones can be established: and

WHEREAS, the said applicant has complied with the “Amusement Games Licensing Law” (Chapter 109, P.I. 1959), the rules and regulations promulgated by the Office of Amusement Games Control Commission in the Department of Community Affairs and the State of New Jersey, and with local ordinances, have submitted the proper license fees and application and is being the desire of this governing body to grant said license.

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

1. It hereby approves of Amusement Game License to Barnacle Bill’s, Inc. attached, located at 1968 Route 35 North Ortlely Beach, N.J. 08751 to operate from April 27, 2023 to April 27, 2024.

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

- a) Mayor
- b) Attorney
- c) Business Administrator
- d) Township Council
- e) Mitchell Little, Chief of Police
- f) Barnacle Bill’s Inc
1968 Route 35 North
Ortlely Beach, NJ 08751

g) NJ Department of Law & Public Safety
 Division of Consumer Affairs
 Legalized Games of Chance Control Commission
 P.O. Box 46000
 Newark, NJ 07101

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR LICENSED PLUMBER SERVICES TO TIMOTHY PETERS PLUMBING & HEATING, INC., AS THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$150,000.00 OVER A TWO (2) YEAR TERM, COMMENCING APRIL 27, 2023 THROUGH APRIL 26, 2025

APRIL 26, 2023

WHEREAS, bids were invited for Licensed Plumber Services; and

WHEREAS, three bids were received on April 12, 2023 from the following vendors:

<u>Item #</u>	<u>Description</u>	<u>Unit Price</u>	<u>Unit Price</u>	<u>Unit Price</u>
		Magic Touch Construction Co., Inc. 59 West Front St. Keyport, NJ 07735	McCloskey Mechanical Contractors, Inc. 445 Lower Landing Rd Blackwood, NJ 08012	Timothy Peters Plumbing & Heating, Inc. P.O. Box 1847 Toms River, NJ 08754
<u>FIRST YEAR</u>				
#1-1	Journeyman/Plumber Hourly Rate	\$165.00	\$115.00	\$95.49
#1-2	Apprentice Hourly Rate	\$125.00	\$90.00	\$47.00
<u>SECOND YEAR</u>				
#2-1	Journeyman/Plumber Hourly Rate	\$165.00	\$115.00	\$95.49
#2-2	Apprentice Hourly Rate	\$125.00	\$90.00	\$47.00
<u>COST OF MATERIALS</u>				
#3-1	Cost of Materials Above Dealers Cost (Percentage)	30%	18%	10%

WHEREAS, the bids have been reviewed by the Purchasing Division and the Department of Public Works, and it is their recommendation that an open-ended contract be awarded to Timothy Peters Plumbing & Heating, Inc., as the lowest responsive and responsible bidder meeting all of the bid specifications, in a total contract amount not to exceed \$150,000.00 over a two (2) year term, commencing April 27, 2023 through April 26, 2025;

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

1. It hereby awards a contract for Licensed Plumber Services to Timothy Peters Plumbing & Heating, Inc., PO Box 1847, Toms River, NJ, 08754, as the lowest responsive and responsible bidder meeting all of the bid specifications, in a total

contract amount not to exceed \$150,000.00 over a two (2) year term, commencing April 27, 2023 through April 26, 2025, as follows:

		Magic Touch Construction Co., Inc. 59 West Front St. Keyport, NJ 07735	McCloskey Mechanical Contractors, Inc 445 Lower Landing Rd Blackwood, NJ 08012	Timothy Peters Plumbing & Heating, Inc. P.O. Box 1847 Toms River, NJ 08754
<u>Item #</u>	<u>Description</u>	<u>Unit Price</u>	<u>Unit Price</u>	<u>Unit Price</u>
	FIRST YEAR			
#1-1	Journeyman/Plumber Hourly Rate	\$165.00	\$115.00	\$95.49
#1-2	Apprentice Hourly Rate	\$125.00	\$90.00	\$47.00
	SECOND YEAR			
#2-1	Journeyman/Plumber Hourly Rate	\$165.00	\$115.00	\$95.49
#2-2	Apprentice Hourly Rate	\$125.00	\$90.00	\$47.00
	COST OF MATERIALS			
#3-1	Cost of Materials Above Dealers Cost (Percentage)	30%	18%	10%

2. This contract shall be open-ended with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget.

3. This contract shall be in effect for twenty-four (24) consecutive months commencing April 27, 2023 through April 26, 2025. The Township shall have the option to extend the contract for two (2) additional one-year extensions pursuant to N.J.S.A. 40A:11-15, contingent upon the approval of the governing body by resolution with the agreement of the vendor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Aforementioned Bidders

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A CONTRACT TO REALAUCION. COM LLC, FOR THE ELECTRONIC TAX SALE SERVICE FOR THE TAX COLLECTOR'S OFFICE, IN THE MAXIMUM CONTRACT AMOUNT NOT TO EXCEED \$44,000.00

APRIL 26, 2023

WHEREAS, the Purchasing Division is requesting authorization to enter into a contract with Realauction.com LLC, for the electronic tax sale service for the Tax Collector's Office; and

WHEREAS, the price for this auction is \$15.00 per certificate advertised not to exceed the bid threshold currently \$44,000.00; and

WHEREAS, Realauction.com 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

WHEREAS, the Township Council of the Township of Toms River, has determined that it is the best interest of the Township of Toms River to enter into a contract with Realauction.com LLC, 861 SW 78th Avenue, Suite B102, Plantation, FL, 33324, for the Electronic Tax Sale service for the Tax Collector's Office, in the total maximum contract amount not to exceed the bid threshold, currently \$44,000.00 (\$15.00 per certificate advertised);

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

1. A contract to Realauction.com LLC, for Electronic Tax Sale service for the Tax Collector's Office is hereby authorized in the total maximum contract amount not to exceed the bid threshold currently \$44,000.00 (\$15.00 per certificate advertised).

2. Funds for this contract in the total maximum amount not to exceed \$44,000.00, are available in Account No. 3-01- -F18-534. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. The Mayor is authorized to execute and the Township Clerk to attest to a contract with Realauction.com LLC.

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) Tax Collector
- e) Tax Assessor
- f) Realauction.com LLC
861 SW 78th Avenue
Suite B102
Plantation, FL 33324

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR UNIFORMS AND SPECIALTY ITEMS FOR SCHOOL CROSSING GUARDS, BICYCLE POLICE, DISPATCHERS, BOOKING OFFICERS, MOTORCYCLE POLICE, COMMUNITY SERVICE OFFICERS (CSO 'S), TOWN HALL SECURITY AND ANIMAL CONTROL OFFICERS, REBID ITEMS, TO ACTION UNIFORM CO. LLC, AS THE SOLE BIDDER WHO MEETS ALL THE BID SPECIFICATIONS

APRIL 26, 2023

WHEREAS, the Division of Purchasing requests authorization to award an open-ended contract for Uniforms and Specialty Items for School Crossing Guards, Bicycle

Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers (CSO'S), Town Hall Security and Animal Control Officers, rebid items; and

WHEREAS, vendors from the initial bid opening on February 22, 2023 were awarded contracts at the March 22, 2023 Council Meeting; and

WHEREAS, rebids were received from the following vendor on April 11, 2023, and reviewed by the Purchasing Division and associated departments:

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

Items shall be awarded to Action Uniform Co. LLC as follows: 1-7, 1-8, 1-9, 1-10, 1-44, 1-47, 2-11, 2-12, 2-23, 3-7, 6-4, 7-1, 7-2, 7-4, 8-3, 8-4, 9-3, 9-5, 9-7, 9-8, 9-9, 10-7, 11-1, 11-4, 11-8, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-14, 12-15, 12-16, 12-17, 12-18, 12-19, 12-20, 12-22 & 12-23

WHEREAS, the following item numbers received no bids and will be negotiated: 5-1 & 12-5;

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 an open-ended contract for Uniforms and Specialty Items for School Crossing Guards, Bicycle Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers (CSO'S), Town Hall Security and Animal Control Officers, rebid items, to Action Uniform Co. LLC, 1500 S. New Rd., Pleasantville, NJ, 08232, as the sole bidder meeting all the bid specifications, as follows:

Items shall be awarded to Action Uniform Co. LLC as follows: 1-7, 1-8, 1-9, 1-10, 1-44, 1-47, 2-11, 2-12, 2-23, 3-7, 6-4, 7-1, 7-2, 7-4, 8-3, 8-4, 9-3, 9-5, 9-7, 9-8, 9-9, 10-7, 11-1, 11-4, 11-8, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-14, 12-15, 12-16, 12-17, 12-18, 12-19, 12-20, 12-22 & 12-23.

2. The following item numbers received no bids and will be negotiated: 5-1 & 12-5.

3. This contract shall be open-ended with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The award of this contract is subject to all the terms and conditions of the bid specifications.

4. The Term of Contract shall be effective from date of award through April 22, 2024. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one-year terms after the expiration of the original contract period. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

5. The appropriate Township officials are hereby authorized to negotiate with vendors for items receiving no bids.

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

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

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

- d) Police Department
- e) Animal Shelter
- f) Office of Emergency Management
- g) IT Department
- h) Action Uniform Co LLC
1500 S. New Rd.
Pleasantville, NJ 08232

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR THE SUPPLY OF WORK, SPORT AND LIFEGUARD CLOTHING REBID TO ORIGINAL WATERMEN, INC., AS THE SOLE BIDDER WHO MEETS ALL THE BID SPECIFICATIONS, AND AUTHORIZE THE OPTION TO NEGOTIATE WITH VENDORS FOR ITEMS RECEIVING NO BIDS AT THE INITIAL BID OPENING AND THE REBID OPENING

APRIL 26, 2023

WHEREAS, the Purchasing Division requests authorization to award a contract for items which meet the bid specifications for the 2023 Supply of Work, Sport and Lifeguard Clothing Rebid; and

WHEREAS, original bid awards were reviewed and approved at the March 22, 2023, Council Meeting; and

WHEREAS, one submission was received from the following vendor at the rebid opening on April 11, 2023 and reviewed by the Purchasing Division and associated departments:

Original Watermen, Inc.
1198 Joshua Way
Vista, CA 92081

Items shall be awarded to Original Watermen, Inc. as follows: 1-67, 2-12, 2-13, 2-14, 2-15, 2-16, 2-18, 2-57, 2-58, 2-59, 2-60, 2-73, 2-74, 2-85.

WHEREAS, the following items received no bids at both the initial bid opening and the rebid opening, and shall be negotiated with vendors, pursuant to N.J.S.A. 40A:11-5(3)(a): 1-49, 1-51, 1-64, 1-132, 1-133, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, 2-11, 2-17, 2-72, 2-79, 2-80;

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 an open-ended contract for the Supply of Work, Sport and Lifeguard Clothing Rebid, to Original Watermen, Inc., 1198 Joshua Way, Vista, CA, 92081, as the sole bidder who meets all the bid specifications, for the following items: 1-67, 2-12, 2-13, 2-14, 2-15, 2-16, 2-18, 2-57, 2-58, 2-59, 2-60, 2-73, 2-74, 2-85.

2. The following items received no bids at both the initial bid opening and the rebid opening, and shall be negotiated with vendors, pursuant to N.J.S.A. 40A:11-5(3)(a): 1-49, 1-51, 1-64, 1-132, 1-133, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-9, 2-10, 2-11, 2-17, 2-72, 2-79, 2-80.

3. This contract shall be open-ended with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget. The award of this contract is subject to all the terms and conditions of the bid specifications.

4. The term of contract shall be the date of award through April 23, 2024.

5. The appropriate Township Officials are hereby authorized the option to negotiate with vendors for the following items receiving no bids at the initial bid opening and the rebid opening:

Items 1-49, 1-51, 1-64, 1-132, 1-133, 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7, 2-8, 2-10, 2-11, 2-17, 2-72, 2-79, 2-80.

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

7. 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) All Departments
- e) Original Watermen, Inc.
1198 Joshua Way
Visa, CA 92081

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 724.70, LOT 134 (598 Garfield Avenue)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 724.70, Lot 134.

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 \$1,840.00 currently on deposit in account # 3-14- -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. ARYA Properties, LLC
130 Central Avenue
PO Box 145
Island Heights, NJ 08732

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 807, LOTS 16 AND 17 (Anthony Avenue)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 807, Lots 16 & 17.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Cash Bond in the amount \$340.00 which represents the 10% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Cash Bond;

WHEREAS, the Township Engineer has made an inspection of said Minor Subdivision and finds that all improvements have been satisfactorily completed; and WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and acceptance of Maintenance Guarantees;

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

- 1) Previously posted Cash Bond in the amount of \$8,060.00 currently on account # 3-14- -902-101, is hereby released with applicable interest if any;
- 2) Maintenance Cash Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Arya Properties, LLC
130 Central Avenue PO Box 145
Island Heights NJ 08732

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 724.05, LOT 256 AND 257 (Cove Road & Island Road)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 724.05, Lot 256 & 257.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # 56104 in the amount of \$4,500.00 which represents the ninety percent portion of the Safety and Stabilization Guarantee.
- 2) Cash Bond in the amount of \$500.00 which represents the ten percent portion of the Safety and Stabilization Guarantee.
- 3) Check in the amount of \$500.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Gerard McIntyre., 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. Gerard McIntyre
108 Island Road
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING REDUCED PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION PLAN KNOWN AS BLOCK 105 Lot 1, 2 AND 3 (Norma Place)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision, known as Block 105, Lot 1, 2 & 3.

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) Cash Bond in the amount of \$13,250.00 currently on deposit in account # 3-14- -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. Arya Properties, LLC
130 Central Avenue PO Box 145
Island Heights, NJ 08732

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A NEGOTIATED CONTRACT FOR THE 2023 DPW SLAB REPLACEMENT, TO GEORGE KOUSTAS PAINTING & CONSTRUCTION LLC, AS THE LOWEST BIDDER MEEITNG ALL THE BID SPECIFICATIONS, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$418,292.00

APRIL 26, 2023

WHEREAS, bids were invited for the 2023 DPW Slab Replacement Rebid; and

WHEREAS, thirteen (13) bids were received at the initial bid opening on

February 9, 2023 and subsequently rejected at the February 22, 2023 council meeting to revise the project specifications; and

WHEREAS, six (6) bids were received at the re-bid opening on March 21, 2023 and subsequently rejected at the April 5, 2023 council meeting for exceeding budgetary estimates; and

WHEREAS, five (5) bids were received through negotiations on April 13, 2023 from the following vendors:

<u>Vendor</u>	<u>Cost to Remove & Install One Slab, Per Specs</u>
George Koustas Painting & Construction 70 Beechwood Ave West Long Branch, NJ 07764	\$4,563.00
A-tech Concrete 11 Taylor Rd. Edison, NJ 08817	\$4,625.00
AJR Masonry LLC 719 Old Shore Rd Forked River, NJ 08731	\$4,860.95
JAK Diamond Construction 35 Beaverson Blvd, Suite 12C Brick, NJ 08723	\$5,848.00
Seacoast Construction 15 Addington Ct. East Brunswick, NJ 08816	\$7,800.00

There are 84 slabs to be removed and replaced. The total project cost is not to exceed \$418,292.00.

In addition, each vendor agreed to lump sum allowances as follows:

Mobilization:	\$15,000.00
Fuel Price Index:	\$10,000.00
General Construction:	\$10,000.00

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

1. It hereby awards a negotiated contract for the 2023 DPW Slab Replacement Project to George Koustas Painting & Construction LLC, 70 Beechwood Ave., West Long Branch, NJ, 07764, as the lowest bidder meeting all the bid specifications, for a total contract amount not to exceed \$418,292.00, as follows:

<u>Vendor</u>	<u>Cost to Remove & Install One Slab, Per Specs</u>
George Koustas Painting & Construction 70 Beechwood Ave West Long Branch, NJ 07764	\$4,563.00
A-tech Concrete 11 Taylor Rd. Edison, NJ 08817	\$4,625.00
AJR Masonry LLC 719 Old Shore Rd Forked River, NJ 08731	\$4,860.95
JAK Diamond Construction	\$5,848.00

35 Beaverson Blvd, Suite 12C
Brick, NJ 08723

Seacoast Construction
15 Addington Ct. \$7,800.00
East Brunswick, NJ 08816

2. There are 84 slabs to be removed and replaced. The total project cost is not to exceed \$418,292.00.

3. In addition, each vendor agreed to lump sum allowances as follows:

Mobilization:	\$15,000.00
Fuel Price Index:	\$10,000.00
General Construction:	\$10,000.00

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

5. Funds in the amount of \$418,292.00 are available in the following accounts:

Account No. X-04- -253-209	\$ 268,292.00
Account No. X-04- -250-013	\$ 150,000.00
Total:	\$ 418,292.00

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Engineering Department
- e) Department of Public Works
- f) George Koustas Painting & Construction LLC
70 Beechwood Avenue
West Long Branch, NJ 07764

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO EARLE ASPHALT COMPANY, AS THE LOWEST BIDDER MEETING ALL OF THE BID SPECIFICATIONS, FOR THE 2023 ON-CALL DUNE AND WALKOVER REPAIR PROJECT, FOR A CONTRACT PRICE NOT TO EXCEED \$304,913.13

APRIL 26, 2023

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the 2023 On-Call Dune and Walkover Repair Project

WHEREAS, bids were invited on April 25, 2023; and

WHEREAS, three (3) bids were received, as follows:

<u>VENDOR</u>	<u>TOTAL COST</u>
Earle Asphalt Company PO Box 556 Farmingdale, NJ 07727	\$304,913.13

Agate Construction Company, Inc.
2819 Fire Road
Egg Harbor Twp., NJ 08234 \$564,990.00

Mount Construction Co., Inc.
427 South White Horse Pike
Berlin, NJ 08009 \$695,931.00

WHEREAS, the bids were reviewed by the Purchasing Division, and they have recommended that the award of contract be made to Earle Asphalt Company, as the lowest bidder meeting all of the bid specifications, at a total contract price not to exceed \$304,913.13;

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 Earle Asphalt Company, as the lowest bidder meeting all the bid specifications, for the 2023 On-Call Dune and Walkover Repair Project, for a total contract price not to exceed \$304,913.13. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. Funds in the amount not to exceed \$304,913.13, are available in Account No. X-19- -600-140.

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

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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) Earle Asphalt Company
PO Box 556
Farmingdale, NJ 07727
- f) Agate Construction Company, Inc.
2819 Fire Road
Egg Harbor Twp., NJ 08234
- g) Mount Construction Co., Inc.
427 South White Horse Pike
Berlin, NJ 08009

Councilman Rodrick asked what this resolution was for?

Councilman Lotano explained it is for a dentist office.

A motion was made by Council Member Kopp, seconded by Council Member Geoghegan, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Lotano, Quinlisk, 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, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 394.06, LOT 124.01 (1374 Hooper Avenue)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 394.06, Lot 124.01

WHEREAS, Performance Bonds have been posted as follows:

- 4) Surety Bond #AL103480 in the amount of \$97,668.00 which represents the ninety percent portion of the performance guarantee amount.
- 5) Cash Bond in the amount of \$10,852.00 which represents the ten percent portion of the performance guarantee amount.
- 6) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.
- 7) Check in the amount of \$13,150.69 which represents the initial escrow amount for inspection fees.
- 8)

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 Hooper Avenue, 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. Hooper Avenue, LLC
2950 SW 27th Avenue Suite 300
Miami, FL 33133

Councilman Rodrick asked what this resolution is for?

Township Engineer Chankalian explained the following resolution is for a clubhouse within an apartment complex.

A motion was made by Council Member Kopp, seconded by Council Member Geoghegan, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Lotano, Quinlisk, 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, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 404, LOT 69.01 (Presidential Blvd)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 404, Lot 69.01.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # KI100079 in the amount of \$60,390.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Cash Bond in the amount of \$6,710.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Bond # KI100080 in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.
- 4) Check in the amount of \$8,746.05 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 Presidential Associates., 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. Presidential Associates
270 Sylvan Avenue
Englewood Cliffs, NJ 07632

A motion was made by Council Member Geoghegan, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Lotano, Quinlisk, 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, ACCEPTING REDUCED PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 410.01, LOT 21,28,29,33.01 AND 42 (Whitty Road & Dugan Lane)

April 26, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 410.01, Lot 21,28,29,33.01 & 42.

WHEREAS, Reduced Performance Bonds have been posted as follows:

- 1) Bond #FP0023328 in the amount of \$205,791.75 which represents the ninety percent portion of the performance guarantee amount.

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 Dover Summit Associates., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Cash in the amount of \$22,865.75 in account # 3-14- -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. Dover Summit Associates
820 Morris Turnpike
Short Hill, NJ 07078

Councilman Lamb asked what this company does and if they produce videos for the town.

A motion was made by Council Member Kopp, seconded by Council Member Geoghegan, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Quinlisk, and Council President Lotano voting yes, and with Council Members Rodrick and Lamb 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 CONTRACT TO CHERRONLA LLC D/B/A DIRECT DEVELOPMENT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PUBLIC INFORMATION CONSULTING SERVICES, IN THE ESTIMATED AMOUNT OF \$32,400.00 ANNUALLY (\$2,700.00 PER MONTH), AND AUTHORIZING THE MAYOR TO EXECUTE AND THE MUNICIPAL CLERK TO ATTEST TO AN AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND CHERRONLA LLC D/B/A DIRECT DEVELOPMENT

APRIL 26, 2023

WHEREAS, on April 12, 2023, the Township of Toms River received two (2) proposals for Public Information Consulting Services through the competitive contracting process in accordance with N.J.S.A. 40A:11-4.1, which allows for price and other factors ; and

WHEREAS, the results are as follows:

<u>Vendor Information</u>	<u>Pricing</u>
Cherronla LLC dba Direct Development 1970 Brunswick Ave, Suite 2 Lawrenceville, NJ 08648	Monthly Retainer: \$2,700.00 Annual Estimate: \$32,400.00 \$150.00 (for services outside scope of work) \$200.00 (for services outside scope of work)
Dealessi Enterprises Inc. dba Fuerza Strategy Group 2 Kiel Ave, Unit 195 Kinnelon, NJ 07405	Managing Director \$80.00 per hour, approximately 5 hrs/month Principal \$70.00 per hour, approximately 10 hrs/month Associates \$65.00 per hour, approximately 15 hrs/month Annual Not to Exceed: \$27,500.00

WHEREAS, the review committee for this solicitation consisted of Township Administrator Louis Amoruso, Township Risk Manager Ralph Stocco, and Purchasing Agent Cassie Capparelli; and

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

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

Cherronla LLC dba Direct Development
1970 Brunswick Ave, Suite 2
Lawrenceville, NJ 08648 83 pts./100

Dealessi Enterprises Inc. dba Fuerza Strategy Group
2 Kiel Ave, Unit 195
Kinnelon, NJ 07405 81 pts./100

The scores were based upon the following observations:

Cherronla LLC dba Direct Development – 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 per month, estimated at \$32,400.00 annually, with hourly rates for services outside the scope of work.

Dealessi Enterprises Inc. dba Fuerza Strategy Group – Proposal was complete as to form, included experience for main contact. They have knowledge about Toms River and Ocean County. Pricing is not to exceed \$27,500.00 annually for approximately 30 hours per month.

WHEREAS, the Committee chose Cherronla LLC dba Direct Development, Lawrenceville, New Jersey at a total contract price of \$32,400.00 per year. If additional services are required, quote must be provided, approved and encumbered prior to work being completed; and

WHEREAS, contract terms are for twelve (12) consecutive months from date of award, April 26, 2023, through April 25, 2024. The Township shall have the option to extend the contract for two (2) additional one-year extensions pursuant to N.J.S.A. 40A:11-15, contingent upon the approval of the governing body by resolution with the agreement of the vendor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same;

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 Cherronla LLC d/b/a Direct Development, at a total contract price of \$32,400.00 per year, as stated above. If additional services are required, quote must be provided, approved and encumbered prior to work being completed.

2. Funds for the remainder of 2023 (May through December) of \$21,600.00 are available in Account No. 3-01- -A04-534. The award of this contract is subject to all 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) 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 Lotano asked for a report on the bills.

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

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

Purchase Order 23-00224, payable to AutoShred, payable to amount of \$214.50.

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

Purchase Order 23-02273, payable to United Healthcare Insurance Company in the amount of \$84,725.56.

Council Member Ciccozzi – NONE

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

Purchase Order 23-02108, payable to Berkeley Township in the amount of \$65.00.

Purchase Order 23-01627, payable to Owen Little & Assoc., in the amount of \$11,330.00.

Purchase Order 23-02109, payable to Borough of South Toms River in the amount of \$117.70.

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

Purchase Order 23-00862, payable to Citta, Holzapfel, Zarbarsky in the amount of \$2,657.50.

Purchase Order 23-02064, payable to Dasti, McGuckin In the amount of \$28,530.00.

Purchase Order 23-02016, payable to Magistrate Salaries in the amount of \$4,119.23.

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

Purchase Order 23-01885 and 23-02159, payable to Remington & Vernick Engineers in the amount of \$10,822.25.

Purchase Order 23-01014, payable to TEC Elevator in the amount of \$725.00.

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

Purchase Order 23-02012, payable to Direct Development LLC in the amount of \$8,100.00.

ELECTED OFFICIALS COMMENTS

Councilman Rodrick spoke regarding Bond Ordinance and a news article about splitting the Bond Ordinance. He spoke on developments and claims Mayor Hill blames it on affordable housing.

Councilman Lotano attended Toms River Little League opening day and Ortley Beach Meeting. He thanked Mayor Hill for working on the beaches.

Councilman Quinlisk remind everyone about downtown night out starting May 5, 2023.

Councilman Geoghegan spoke regarding Open Space purchase, and a book coming out about Bud Lomell.

Councilman Kopp had no comments.

Councilman Ciccozzi spoke regarding upcoming elections and wants all voters to research candidates; spoke regarding possibility of over development if town did not want to purchase open space.

Mayor Hill spoke regarding Open Space property purchase and how to fix school system; dune repairs; capital budget will be voted on next meeting on May 10th, spoke on Bond Ordinance that was reintroduced; Toms River Little League opening day, and High School North Football Team.

Council President Lotano spoke regarding Business Improvement District moving from commercial land owners; Little League World Series Championship Team Anniversary at opening day, and Open Space Preservation is a wonderful thing.

PUBLIC COMMENTS

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

Mark Mutter, 53 Manor Road, spoke on resolution which was removed; ordinance for Huddy Park may be invalid; was:

- Was advertised for 9/10/2019, but was not listed on that agenda, but was on 9/24/-2019
- Was ordinance discussed in executive session?
- Suggests redoing ordinance

Michelle Spector, Brick Town, spoke regarding Garden State Parkway Project – Township should be wary of it.

Stephen Brill, Brick Township, spoke regarding sound barrier walls by NJ Turnpike Authority

Tony Corria, Ortley Beach, spoke regarding these issues:

- Issues with kayak rentals and new website
- Would like to have move kayah storage racks
- Township Chankalian explained to add move in parking spaces

Barbara, last name unknown, Ortley Beach, spoke regarding concern with not having a full time ambulance on the island; Councilman Geoghegan explained reasoning for this staffing issues, etc; Deputy Chief Delrane spoke on staffing issues; Administrator Lou Amoruso explained why tri-boro is not an option for Toms River; Asked about Joey Harrison's land

Debbie Martin, 1920 Ocean Avenue, feels meeting has not been run professionally; and concerns with beach repairs

Cathy Lazarro mentioned Toms River overpopulation and traffic issues; asked about property purchase and school budget for the future; asked to remove John Russo's picture from the wall

Lisa Ciffaretto, spoke regarding Toms River BID does a lot for downtown businesses and would not be in business without them.

Geri Ambrosio, 938 Millstone Court, spoke regarding following up on question from last meeting about \$625,000 ARPA money; Administrator Amoruso explained that money was given to Fire Departments; asked if bond was paid off for Red Carpet Inn

Councilman Lotano said bond is paid off over time, other money from that bond was used for open space.

Geri Ambrosio asked if that open space will be part of apartments, not open space.

Councilman Lotano said it will be for amphitheater and not a parking lot

Frank Davis, 20 West Ridge, mentioned issues with Councilman not getting involved with township activities.

Art Anderson, 12 Park Street, asked about paving on Washington Street.

Paul Digreggenio, Goose Creek Road, disappointed that Bond Ordinance did not pass last meeting.

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

No Executive Session

No other business appearing, the meeting was **adjourned** at 8:14 P. M., on motion with Council Member Geoghegan, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and Council President Lotano voting yes.

MATTHEW LOTANO, COUNCIL PRESIDENT

MICHAEL CRUOGLIO, TOWNSHIP CLERK