

May 10, 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
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 Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with Council President Lotano voting yes, 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 Quinlisk, 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 and Council Members presented proclamation for Older Americans Month.

Township of Toms River
Proclamation

May 10, 2023

WHEREAS, “Aging Unbound” defines this year’s celebration of Older Americans Month; and

WHEREAS, through wisdom, positive work ethics and endless talents, older Americans serve as the backbone of our country; and

WHEREAS, staying engaged in activities both physically and mentally promotes well-being in our senior population, enabling them to volunteer their services to many non-profit agencies, healthcare facilities and community outreach programs.

WHEREAS, in 1963, **Older Americans Month** was established to acknowledge and pay homage to older persons throughout our country during the month of May; and

WHEREAS, prior to 1963, a number of older Americans lived in poverty, so the country began fostering events and activities nationwide to help promote support for our aging population’s needs; and

WHEREAS, during **Older Americans Month** we acknowledge our senior population for the positive effects their infinite wisdom has on our community; and

WHEREAS, older Americans bring beneficial and rewarding services to our residents through the many humanitarian and volunteer programs they are involved with.

NOW, THEREFORE, We, Mayor Maurice B. Hill, Jr. and Council President Matthew W. Lotano of the Township of Toms River in the County of Ocean and State of New Jersey, with the full concurrence of the Township Council, wish to proclaim the **Month of May as *Older Americans Month*** and extend our thanks to them for making a pronounced and positive “difference” throughout our community every day.

Maurice “Mo” B. Hill, Jr., Mayor

Matthew W. Lotano
Geoghegan
Council President
Vice-President

Kevin M.
Council

David Ciccozzi
Lamb

Joshua D. Kopp

Justin D.

Jim Quinlisk

Daniel T. Rodrick

May 10, 2023 2

Mayor and Council Members presented proclamation for Neurofibromatosis (NF) Awareness Month

Township of Toms River Proclamation

May 2023 as Neurofibromatosis (NF) Awareness Month
May 17, 2023, World Neurofibromatosis (NF) Awareness Day

May 10, 2023

Whereas, The Children’s Tumor Foundation is observing **May 2023 as Neurofibromatosis (NF) Awareness Month**, and **May 17, 2023, as World Neurofibromatosis (NF) Awareness Day** to educate the public about this rare genetic disorder; and

Whereas, although over 2 million people around the world are living with NF and 1 in every 3,000 births is diagnosed with NF, it is still relatively unknown to the public; and

Whereas, NF affects all populations equally, regardless of race, ethnicity, or gender; and

Whereas, NF causes tumors to grow on nerves throughout the body and also can affect development of the brain, cardiovascular system, bones and skin; and

Whereas, the disorder can lead to blindness, deafness, bone abnormalities, disfigurement, learning disabilities, disabling pain, and cancer; and

Whereas, The Children’s Tumor Foundation leads efforts to promote and financially sponsor world-class medical research aimed at finding effective treatments and, ultimately, a cure for NF; and

Whereas, The Children’s Tumor Foundation is actively fostering collaborative partnerships in both science and industry to speed the drug research and development process through a number of consortia called Synodos; and

Whereas, The Children’s Tumor Foundation works to improve access to quality patient care through its national NF Clinic Network; and

Whereas, The Children’s Tumor Foundation provides patient and family support through its information resources, youth programs, and community activities; and

Whereas, much remains to be done in raising public awareness of NF to help promote early diagnosis, proper management and treatment, prevention of complications, and support for research.

Now Therefore, I, MAURICE “Mo” B. HILL JR., Mayor of the Township of Toms River, on behalf of myself, the Township Council, and the residents of Toms River, in recognition of this important initiative, **do hereby proclaim May, 2023 as “World Neurofibromatosis Awareness Month” and May 17, 2023 as “World Neurofibromatosis (NF) Awareness Day.”**

Maurice “Mo” B. Hill, Jr., Mayor

May 10, 2023 3

Matthew W. Lotano
Geoghegan
Council President
Vice-President

Kevin M.
Council

David Ciccozzi
Lamb

Joshua D. Kopp

Justin D.

Jim Quinlisk

Daniel T. Rodrick

Mayor and Council Members presented a proclamation for New Jersey State Association of Chiefs of Police-Law Enforcement Accreditation.

Harry Delgado presented Deputy Chief Dellane with an award of accreditation.

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:

**RESOLUTION AUTHORIZING THE READING OF THE TOWNSHIP OF
TOMS RIVER 2023 CALENDAR YEAR BUDGET BY TITLE ONLY**

MAY 10, 2023

WHEREAS, the statutory requirements regarding advertisement, posting and availability of the 2023 Calendar Year Local Municipal Budget of the Township of Toms River have been met;

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 2023 Calendar Year Local Municipal Budget of the Township of Toms River shall be read by title only pursuant to Statute.

2. Township Clerk shall send a certified copy of this resolution to each of the following:

- a. Chief Financial Officer
- b. Municipal Attorney
- c. Auditor
- d. State of New Jersey
Division of Local Government Services
PO Box 803
Trenton, NJ 08625

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

2023 Municipal Budget Public Hearing

President Lotano announced the Public Hearing of the Budget.

Township Chief Financial Officer Tutela explained this is just a public hearing and asked if there were any questions.

Councilman Rodrick asked about miscellaneous difference from last year to this year.

Chief Financial Officer explained about grants.

Council President Lamb asked about lease payments and IT salaries.

Chief Financial Officer Tutela explained shared services supplement.

No further comments from the public appearing, a motion was made by Council Member Kopp, seconded by Council Member Quinlisk, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with Council President Lotano voting yes, to close the **2023 Municipal Budget Public Hearing.**

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 Lamb and Rodrick voting no, to approve the following Resolution.

Resolution of the Township of Toms River,
County of Ocean, State of New Jersey, to Amend
2023 Introduced Budget in accordance with the
Provision of NJSA 40a:4-9

May 10, 2023

WHEREAS, the local municipal budget for 2023 was approved on the 22th day of March, and;

WHEREAS, the public hearing on said budget was advertised on April 4, 2023, and WHEREAS, it is desired to amend said approved budget; and,
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Toms River, County of Ocean that the following amendments to the approved 2023 budget be made:

CURRENT FUND:

_____ ANTICIPATED REVENUES	_____ FCOA	From	_____ To
----------------------------	------------	------	----------

Miscellaneous Revenues

3. Section F: Special Items of Revenue Anticipated with
Prior Written consent of Director of Local Government
Services-Public and Private Revenues:

Drunk Driving Enforcement Fund	10-510	\$	27,636.68	\$	-
--------------------------------	--------	----	-----------	----	---

7. Total General Revenues	13-299	\$	<u>140,897,783.38</u>	\$	140,870,146.70
---------------------------	--------	----	-----------------------	----	----------------

\$ 29,550,000.00 29,522,363.32

**GENERAL
APPROPRIATIONS**

8. (A) Operations - Within "CAPS"
 Department of Police - Salaries & Wages 25-240

(H-1) Total General Appropriations for Municipal Purposes within "CAPS" 109,014,960.00 108,987,323.32

Total General Appropriations 34-499

L.S. 140,897,783.38

\$ 140,870,146.70

BE IT FURTHER RESOLVED, that this complete amendment in accordance with the provision of N.J.S.A. 40A:4-9, be considered by the Township Governing Body, and

BE IT FURTHER RESOLVED, that two certified copies of this Resolution be filed forthwith with the Division of Local Government Services for certification of the 2023 Municipal Budget so amended along with each of the following:

- Business Administrator
- Township Attorney
- Township Auditor
- Chief Financial Officer

Approved as to Content:

Council President Lamb discussed issues with MCCUO and Code Enforcement.

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, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING THE FISCAL YEAR 2023 MUNICIPAL BUDGET

May 10, 2023

WHEREAS, in accordance with N.J.S.A. 40A:4-4a, the fiscal year 2023 (“FY2023”) municipal budget was introduced and approved by resolution dated March 22, 2023; and

WHEREAS, the FY2023 was publicly advertised in accordance with N.J.S.A. 40A:4-6; and

WHEREAS, in accordance with N.J.S.A. 40A:4-7, a public hearing on the FY2023 municipal budget was held on May 10, 2023; and

WHEREAS, by resolution dated May 10, 2023, the FY2023 municipal budget was amended in accordance with N.J.S.A. 40A:4-9; and

WHEREAS, the FY2023 municipal budget, as amended, has been certified by the Director of the Division of Local Government Services (“DLGS”) in the Department of Community Affairs:

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

1. In accordance with N.J.S.A. 40A:4-10, the FY2023 municipal budget, as amended and approved by DLGS, attached hereto as Schedule A, is hereby adopted.
2. A certified copy of this resolution shall be provided to the following parties and remain on file in the Office of the Township Clerk:

- a. Mayor Maurice B. Hill, Jr.
- b. Business Administrator
- c. Certified Financial Officer
- d. Township Attorney
- e. All Township Departments
- f. Director, Division of Local Government Services, DCA

Art Anderson, Park Street, asked why bonding it.

Councilman Lotano explained we purchase as much as we can and pay it off.

Paul Jeffreis, Ortley Beach, asked if we are buying property with bond.

Attorney McGucken explained.

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 Quinlisk, and carried that an Ordinance entitled:

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

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.

Mark Mutter, Manor Road, asked will this space still remain woods or become a recreation facility. Would like wording to ensure it will remain in its natural state.

Council Member Lotano explained he would look into this and wishes to keep it woods.

Attorney McGuckin said the ordinance may needs to be amended.

Paul Jeffries, Ortley Beach, ran into issues in the past and would like to keep it as woods.

Geri Ambrosio, asked if former Red Carpet Inn is open space.

Council Member Lotano said no, did not used open space fund.

Stella, 131 Lilly Road, does not trust town and nothing should move forward until there is a stipulation to keep space as is.

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 Quinlisk seconded the motion:

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

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

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

Council Member Ciccozzi	Yes
Council Member Kopp	Yes
Council Member Lamb	Abstained
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 Geoghegan, seconded by Council Member Quinlisk, and carried that an Ordinance entitled:

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

**CERTIFICATE OF MUNICIPAL CLERK
EXTRACT OF MINUTES
SHOWING PUBLIC HEARING
AND FINAL ADOPTION OF ORDINANCE**

I, 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 relates to Bond Ordinance No. _____ and the subject matter referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township, this 10 day of May, 2023.

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

Municipal Clerk

be taken up for further consideration, public hearing and final passage. Said ordinance was thereupon read by title only, pursuant to authority of Statutes of New Jersey, copy of said ordinance having been posted as directed by said law, whereupon Council President 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 Quinlisk, seconded by Council Member Geoghegan and carried, the public hearing was closed.

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

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

May 10, 2023 12

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		Abstained
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:

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 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

MICHAEL CRUOGLIO,
Municipal Clerk

**CERTIFICATE OF MUNICIPAL CLERK
EXTRACT OF MINUTES
SHOWING PUBLIC HEARING
AND FINAL ADOPTION OF ORDINANCE**

I, 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

May 10, 2023 16

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 relates to Bond Ordinance No. _____ and the subject matter referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Township, this 10 day of May, 2023.

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

Municipal Clerk

be taken up for further consideration, public hearing and final passage. Said ordinance was thereupon read by title only, pursuant to authority of Statutes of New Jersey, copy of said ordinance having been posted as directed by said law, whereupon Council President Lotano announced that this was the final reading of the ordinance and asked if anyone present had anything to say in connection therewith. Paul Jeffres, asked if this Bond is adding to the debt.

Council Member Lotano explained majority is coming off.

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	No
Council Member Quinlisk	Yes
Council Member Rodrick	No
Council Vice-President Geoghegan	Yes
Council President Lotano	Yes

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ACQUISITION, BY PURCHASE, FOR PRESERVATION AS OPEN SPACE OF BLOCK 393.03, LOT 3, (ST. JOSEPH WHITTY ROAD SITE), CONSISTING OF APPROXIMATELY 21 ACRES IN TOTAL ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF

**TOMS RIVER, OCEAN COUNTY, NEW JERSEY, FOR THE PURCHASE PRICE
AMOUNT NOT TO EXCEED \$3.7 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 393.03, Lot 3, (ST. Joseph Whitty Road Site), 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 393.03, Lot 3, (St. Joseph Whitty Road Site), 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 the parcel acquired shall not exceed the sum of \$3.7 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 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 May 10, 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 24, 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.

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, May 14, 2023.

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

Council Member Kopp 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 THE ST. JOSEPH - WHITTY ROAD SITE IN THE TOWNSHIP OF TOMS RIVER AND APPROPRIATING \$3,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,610,000 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 \$3,800,000, including the sum of \$190,000 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 \$3,610,000, 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 the St. Joseph - Whitty Road Site, designated on the municipal tax map as Block 393.03, Lot 3, 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 \$3,800,000, estimated amount of bonds and notes therefor of \$3,610,000, 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 \$3,610,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$3,800,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$3,800,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$190,000 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 \$3,610,000 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.

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 May 10, 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 24, 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, May 14, 2023.

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 76 (ADVISORY COMMITTEES) OF THE TOWNSHIP CODE TO ESTABLISH A MAYOR'S ADVISORY COMMITTEE ON THE TOMS RIVER SENIOR CENTER

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

1. Chapter 76 (Advisory Committees) of the Township Code is hereby amended and supplemented to provide as follows:

§76-14. Mayor's Advisory Committee on the Toms River Senior Center.

- A. There is hereby established the Mayor's Advisory Committee on the Toms River Senior Center, which shall serve for the purpose of advising the Mayor and Director of Human Services on, and researching, recommending, and implementing programs and activities for, the Toms River Senior Center.
 - B. The Committee shall consist of not more than 20 members, at least 15 of which must be Township residents, who shall serve in a volunteer capacity for one-year terms commencing on January 1 and expiring on December 31.
 - C. The Committee shall meet at least twice per year; the first meeting shall occur no later than March 31, at which time the Committee shall elect a chairperson. The Director of the Department of Human Services shall serve as co-liaison to the Committee.
2. All other provision of Chapter 76 remain in full force and effect.
 2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
 3. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.
5. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

A motion was made by Council Member 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 May 10, 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 24, 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, May 14, 2023.

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

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

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-64 SCHEDULE VI, OVERNIGHT PARKING PROHIBITED - MOTOR VEHICLES (BAYSHORE DRIVE) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE CODE OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY

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

1. Section 477-64 (Schedule VI: Overnight Parking Prohibited – Motor Vehicles) of Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River, New Jersey is amended and supplemented as follows:

NAME OF STREET: Bayshore Drive
SIDES: Both
HOURS: 10:00 p.m. to 6:00 a.m.
LOCATION: Between Fischer Boulevard and Minturn Road

2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 477 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.
3. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.
4. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law and the posting of the appropriate signs.

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

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on May 10, 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 24, 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, May 14, 2023.

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

CONSENT AGENDA

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

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

RESOLUTION

May 10, 2023

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

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

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

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

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

NAME	BLOCK	LOT	Qual/Year	Amount
<i>LINDON, LUANN & DONLAD</i>	<i>951.10</i>	<i>27</i>	<i>D0012</i> <i>2022/4</i>	<i>\$2,757.19</i>

<i>CIUBAM, RONALD & RONNIE</i>	<i>1076.12</i>	<i>117</i>	<i>2022/4</i>	<i>\$787.77</i>
<i>MCGIMPSEY, ANDREA</i>	<i>951.10</i>	<i>27</i>	<i>D0040</i> <i>2022/4</i>	<i>\$2,611.99</i>
			TOTAL:	\$6,156.95

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

Approved as to content:

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 166, LOT 3.01 QUAL C1808 EFFECTIVE JANUARY 1, 2023 AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 10, 2023

WHEREAS, the owner of real property in the Township of Toms River known as Block 166 Lot 3.01 Qual C1808, located at 608 Rio Grande Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2023 and

WHEREAS, property taxes for 2023, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. All 2023 real property taxes for Block 166 Lot 3.01 Qual C1808 due on or after, January 1, 2023 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 166 Lot 3.01 Qual C1808, if any, shall be refunded on a pro-rated basis from January 1, 2023.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor
 - b) Business Administrator
 - c) Township Attorney
 - d) Chief Financial Officer
 - e) Township Assessor

f) Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 233.34, LOT 7.02 EFFECTIVE JANUARY 1, 2023 AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 10, 2023

WHEREAS, the owner of real property in the Township of Toms River known as Block 233.34 Lot 7.02, located at 48 Silver Bay Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2023 and

WHEREAS, property taxes for 2023, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. All 2023 real property taxes for Block 233.34 Lot 7.02 due on or after, January 1, 2023 shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 233.34 Lot 7.02, if any, shall be refunded on a pro-rated basis from January 1, 2023.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
3. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor
 - b) Business Administrator
 - c) Township Attorney
 - d) Chief Financial Officer
 - e) Township Assessor
 - f) Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERAN STATUS FOR THE OWNER OF BLOCK 192.20 LOT 14 EFFECTIVE JANUARY 1, 2023 FOR HALF OF A TWO HOME DWELLING, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 10, 2023

WHEREAS, the owner of real property in the Township of Toms River known as Block 192.20 Lot 14, located at 59 Mt. Matterhorn Lane, has been certified by the Tax Assessor as a of a 100% Disabled Veteran on half of a two home dwelling effective January 1st, 2023 and

WHEREAS, property taxes for 2023 on half of the two home dwelling, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. Half of the 2023, real property taxes for Block 192.20 Lot 14 due on or after January 1, 2023, shall be cancelled.
2. Half of the real property taxes from the date of this Resolution paid on Block 192.20 Lot 14 if any, shall be refunded on a pro-rated basis from January 1, 2023.
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor
 - b) Business Administrator
 - c) Township Attorney
 - d) Chief Financial Officer
 - e) Township Assessor
 - f) Township Tax Collector

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TAX COLLECTOR TO HOLD AN ELECTRONIC TAX SALE

MAY 10, 2023

WHEREAS, N.J.S.A. 54:5-19, requires that the Tax Collector hold a tax sale once a year for unpaid property taxes and other municipal chargers; and

WHEREAS, N.J.S.A. 54:5-19.1, authorizes electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process;

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

1. The Township Tax Collector is authorized to hold an electronic tax sale
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Business Administrator
 - b) Township Attorney
 - c) Chief Financial Officer
 - d) Township Tax Assessor
 - e) Township Tax Collector
 - f) Township Auditor

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE SECOND AND FINAL EXTENSION OF AN OPEN-ENDED, ONE (1) YEAR CONTRACT WITH

HUNTER JERSEY PETERBILT FOR THE SUPPLY OF PETERBILT REPAIR PARTS, CONTRACT COMMENCING JUNE 24, 2023 THROUGH JUNE 23, 2024

MAY 10, 2023

WHEREAS, resolution of the Township Council dated July 14, 2020, authorized the award of an open-ended contract to Hunter Jersey Peterbilt for the Supply of Peterbilt Repair Parts, with the option to extend the contract for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, pursuant to N.J.S.A. 40:A11-15; and

WHEREAS, resolution of the Township Council dated June 22, 2022, authorized the first extension of the contract with Hunter Jersey Peterbilt for the Supply of Peterbilt Repair Parts, commencing June 24, 2022 through June 23, 2023; and

WHEREAS, the Departments of Purchasing and Public Works have determined that it is in the best interest to extend the contract for the second and final one (1) year extension of the open-ended contract with Hunter Jersey Peterbilt for the Supply of Peterbilt Repair Parts; and

WHEREAS, the new contract term shall be effective commencing June 24, 2023 through June 23, 2024; and

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

1. It hereby authorizes the second and final one (1) year extension of the existing open-ended contract with Hunter Jersey Peterbilt for the Supply of Peterbilt Repair Parts, commencing June 24, 2023 through June 23, 2024.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Public Works
- e) Hunter Jersey Peterbilt
524 Monmouth Rd.
Clarksburg, NJ 08510

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST ONE (1) YEAR EXTENSION OF THE OPEN-ENDED CONTRACT WITH DOT DESIGNING LLC, FOR CUSTOM SIGNS AND BANNERS, EFFECTIVE JUNE 15, 2023 THROUGH JUNE 14, 2024

MAY 10, 2023

WHEREAS, resolution of the Township Council dated June 22, 2021, authorized the award of an open-ended contract for Custom Signs and Banners, as needed for various departments in the Township, for a two (2) year term, effective retroactive to June 15, 2021 through June 14, 2023 to Dot Designing LLC with the option to extend the contract for no more than one (1) two-year, or two (2) one-year extensions, upon the expiration of the original contract period, after the expiration of the original contract period, pursuant to N.J.S.A. 40:A11-15; and

WHEREAS, the Purchasing Division has determined that it is in the best interest of the Township to extend this contract for the first additional one (1) year extension term, commencing June 15, 2023 through June 14, 2024;

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

1. It hereby authorizes the first extension of the open-ended contract with Dot Designing LLC, for Custom Signs and Banners, commencing June 15, 2023 through June 14, 2024.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Parks, Buildings and Grounds
- f) Police Department
- g) Recreation Dept.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING A SOLID WASTE COLLECTION AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND TOMS RIVER BUSINESS DEVELOPMENT CORPORATION ("TRBID"), FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS FOR SPECIAL EVENTS

MAY 10, 2023

1. The Mayor is hereby authorized to execute and the Municipal Clerk to attest to the Solid Waste and Recyclable Material Collection Agreement, attached as Schedule "A" to this resolution, between the Township of Toms River and Toms River Business Development Corporation ("TRBID") for the collection of solid waste and recyclable materials for special events.

2. A fully-executed copy of this agreement shall remain on file in the office of the Township Clerk.

3. The Office of the Township Clerk shall provide a certified copy of this resolution and a copy of the fully-executed agreement to the following parties:

- a. Business Administrator
- b. Certified Financial Officer
- c. Director of Public Works

- d. Township Attorney
- e. Toms River Business Development Corporation
53 Main Street
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
AN AMENDMENT TO RESOLUTION DATED MARCH 22, 2023, (PART
XVI), AWARDING A CONTRACT TO OAKHURST VETERINARY
HOSPITAL FOR POOL NON-EMERGENCY VETERINARY
SERVICES, WHO WAS INADVERTENTLY OMITTED FROM THE
MARCH 22, 2023 RESOLUTION**

(NO ADDITIONAL FUNDS NECESSARY FOR THIS AMENDMENT)

MAY 10, 2023

WHEREAS, the Township of Toms River has a need to acquire emergency veterinarian services commencing retroactive to March 1, 2023 up to and including December 31, 2023; and

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

WHEREAS, resolution of the Township Council dated March 22, 2023 authorized contracts with Jersey Shore Veterinary Emergency Services and Pet Services of NJ d/b/a Toms River Animal Hospital for Pool Non-Emergency Veterinary Services, not to exceed \$78,000.00 for CY 2023 from Account No. 3-13- -911-011, contingent upon the execution of a contract, the availability of funds and the adoption of the CY23 budget, for the term commencing retroactive to March 1, 2023 up to and including December 31, 2023; and

WHEREAS, it is necessary to amend the resolution dated March 22, 2023, (Part XVI) to include Oakhurst Veterinary Hospital as one of the Pool Non-Emergency Veterinary Service providers as they were inadvertently omitted from resolution of March 22, 2023, with no additional funds needed for this amendment;

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

1. It hereby authorizes an amendment to Resolution dated March 22, 2023 (Part XIV) to award a contract to Oakhurst Veterinary Hospital for Pool Non-Emergency Veterinary Services as they were inadvertently omitted from the March 22, 2023 resolution, with no additional funds needed for this amendment.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to an Agreement with Oakhurst Veterinary Hospital for Pool Non-Emergency Veterinary Services commencing retroactive to March 1, 2023 up to and including December 31, 2023, not to exceed \$88,000.00 for CY2023, from Account No. 3-13- -911-011 - \$78,000.00 Animal Shelter, and Account No. 3-01- -P45-534 - \$10,000.00 Police, contingent upon the execution of a contract, the availability of funds and the adoption of the CY23 budget.

3. The amended certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk, with no additional funds needed for this amendment.

4. All other terms and conditions of the resolution dated March 22, 2023 are to remain in full force and effect.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Purchasing Division
- g) Human Services, Attn: Maria Maruca
- h) Animal Facility
- i) Oakhurst Veterinary Hospital
225 Monmouth Road
Oakhurst, NJ 07755

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF FOUR (4) BASEBALL/SOFTBALL SCOREBOARDS FOR THE DEPARTMENT OF RECREATION FROM EVERSAN INC. IN THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$33,880.00

MAY 10, 2023

WHEREAS, the Purchasing Division is requesting authorization to Purchase Four (4) Baseball/Softball Scoreboards for the Department of Recreation from Eversan Inc.; and

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

WHEREAS, the Township Council of the Township of Toms River has determined that it is the best interest of the Township of Toms River to authorize this purchase;

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

1. It hereby authorizes the Purchase of Four (4) Baseball/Softball Scoreboards for the Department of Recreation from Eversan Inc., in the total maximum amount not to exceed \$33,880.00.

2. Funds for this purchase in the total maximum amount not to exceed \$33,880.00, are available in Account No. X-99- -907-806. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Division of Purchasing
- b) Chief Financial Officer
- c) Recreation Dept.
- d) Township Attorney
- e) Eversan Inc.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY , AUTHORIZING AWARD OF A NEGOTIATED OPEN- ENDED CONTRACT FOR THE 2023 SUPPLY OF SPORTING GOODS TO BSN SPORTS, LLC, WHO MEETS ALL THE BID SPECIFICATIONS

MAY 10, 2023

WHEREAS, bids were invited for the 2023 Supply of Sporting Goods; and

WHEREAS, Two (2) bids were received at the initial bid opening on March 1, 2023, and awarded contracts at the March 22, 2023 council meeting; and

WHEREAS, no bids were received during the rebid opportunity on April 11, 2023; and

WHEREAS, Pursuant to N.J.S.A. 40A:11-5(3)(a) negotiations were invited from thirty (30) vendors on April 27, 2023. BSN Sports, LLC was the sole bidder to respond to our request. Negotiated prices from BSN Sports, LLC were reviewed by Purchasing and various departments and will be awarded as follows:

BSN Sports, LLC for Items: 1-15, 1-16, 1-27, 1-28, 1-29, 1-91, 1-94, 1-96, 2-9.

The following items received no bids and shall be purchased on the open market as needed: 1-14, 1-20, 1-30, 1-31, 1-32, 1-36, 1-39, 1-46, 1-47, 1-50, 1-51, 1-52, 1-57, 1-67, 1-83, 1-84, 1-87, 1-88, 1-99, 1-100, 1-101, 1-102, 1-103, 1-104, 1-105, 1-106, 1-107, 1-110, 1-111, 1-124, 1-125, 2-7, 2-8, 2-13, 2-14, 2-22, 2-25, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 5-14, 5-15, 5-17, 5-18, 5-19, 5-20, 5-21, 5-22, 5-23, 5-24.

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 Supply of Sporting Goods to BSN Sports, LLC, PO Box 7726, Dallas, TX, 75209-0726, who meets all the bid specifications, as follows:

BSN Sports, LLC for Items: 1-15, 1-16, 1-27, 1-28, 1-29, 1-91, 1-94, 1-96, 2-9.

The following items received no bids and shall be purchased on the open market as needed: 1-14, 1-20, 1-30, 1-31, 1-32, 1-36, 1-39, 1-46, 1-47, 1-50, 1-51, 1-52, 1-57, 1-67, 1-83, 1-84, 1-87, 1-88, 1-99, 1-100, 1-101, 1-102, 1-103, 1-104, 1-105, 1-106, 1-107, 1-110, 1-111, 1-124, 1-125, 2-7, 2-8, 2-13, 2-14, 2-22, 2-25, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 5-11, 5-12, 5-13, 5-14, 5-15, 5-17, 5-18, 5-19, 5-20, 5-21, 5-22, 5-23, 5-24.

2. This will be an open-ended contract 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.

3. The Term of Contract shall be effective from date of award through March 20, 2024. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Recreation Department
- e) Youth Center
- f) Winding River Ice Rink
- g) BSN Sports, LLC
PO Box 7726
Dallas, TX 75209-0726

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR AND BUSINESS ADMINISTRATOR TO AUTHORIZE THE SUBMISSION OF THE GRANT APPLICATION WITH THE STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF MENTAL HEALTH (DEDR) (GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE (DEDR GRANT) (FISCAL GRANT CYCLE OCTOBER 2020-JUNE 2025

MAY 10, 2023

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey has applied for funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Ocean;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, hereby recognizes the following:

The Township Council of the Township of Toms River, does hereby authorize submission of a strategic plan for the Toms River Municipal Alliance for fiscal year 2024 in the amount of:

DEDR	\$26,033.00
CASH MATCH	\$ 6,508.25
IN-KIND	\$19,524.75

1. The Township Council of the Township of Toms River acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Maria Maruca, Director, Human Services
- g) Helen McGovern, Municipal Alliance

Approved: _____

Maurice B. Hill, Jr.
Mayor

CERTIFICATION

I, Michael Cruoglio, Municipal Clerk of the Township of Toms River, County of Ocean, State of New Jersey, do hereby certify that the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 10th day of May 2023.

Michael Cruoglio, Municipal Clerk

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR AND BUSINESS ADMINISTRATOR TO AUTHORIZE THE SUBMISSION OF THE GRANT APPLICATION WITH THE STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF MENTAL HEALTH (DMHAS) (GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE (DMHAS YOUTH LEADERSHIP GRANT))

MAY 10, 2023

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse (GCADA) established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey, in coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS), has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey has applied for DMHAS Youth Leadership funding through the Governor's Council on Alcoholism and Drug Abuse through the County of Ocean;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, hereby recognizes the following:

The Township Council does hereby authorize submission of an application for DMHAS Grant funding for the Toms River Municipal Alliance for Year Grant Term - Two Year (09/01/2023 – 09/30/2025) September 1, 2023 to September 30, 2025 in the amount of:

DMHAS Grant Funding \$8,430.37

1. The Township Council of the Township of Toms River acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Maria Maruca, Director, Human Services
- g) Helen McGovern, Municipal Alliance

Approved: _____

Maurice B. Hill, Jr.
Mayor

CERTIFICATION

I, Michael Cruoglio, Municipal Clerk of the Township of Toms River, County of Ocean, State of New Jersey, do hereby certify that the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 10th day of May 2023.

Michael Cruoglio, Municipal Clerk

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO ENTER INTO A CONTRACT WITH USGOVBID AUCTION LIQUIDATION SERVICES, TO AUCTION SURPLUS ITEMS NO LONGER NEEDED BY THE TOWNSHIP

MAY 10, 2023

WHEREAS, the Division of Purchasing is preparing to auction surplus items no longer needed by the Township; and

May 10, 2023 35

WHEREAS, the Local Unit Technology Program and Study Act (PL 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through the use of an online auction service; and

WHEREAS, USGovBid Auction Liquidation Services is a full-service vendor who will perform the online auction services with 100% of the proceeds going to the Township, and an 8% Buyer's Internet Service Fee, which is payable by the buyer to the Auction Company, to be retained by USGovBid/Auction Liquidation Services; and

WHEREAS, this contract is not expected to exceed the pay-to-play threshold; and

WHEREAS, the contract term will be from May 15, 2023 through May 14, 2024, in accordance with the terms of the original agreement between the Township of Toms River and USGovBid Auction Liquidation Services;

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

1. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement (Contract for Online Auction) with USGovBid Auction Liquidation Services, a full-service New Jersey State approved vendor, who will perform an online auction of surplus items no longer needed by the Township of Toms River, with 100% of the proceeds going to the Township, and an 8% Buyer's Internet Service Fee, which is payable by the buyer to the Auction Company to be retained by USGovBid/Auction Liquidation Services. A copy of the Agreement is attached to this resolution as Schedule "A", and made a part hereof.

2. This contract is not expected to exceed the pay-to-play threshold. The contract term will be from May 15, 2023 through May 14, 2024.

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

**RESOLUTION AUTHORIZING THE PERSON-TO-PERSON -
PLACE- TO- PLACE TRANSFER OF PLENARY RETAIL
CONSUMPTION LIQUOR LICENSE 1507-33-021-010 FROM
SCE INVESTORS, LLC TO VALNROSE, LLC.**

May 10, 2023

WHEREAS, an application has been filed for **PERSON-TO-PERSON, PLACE TO PLACE TRANSFER** for Plenary Retail Consumption License Number **1507-33-021-010**, heretofore issued to Valnrose, LLC. 11 Kettle Creek Rd, Toms River, NJ 08753 and

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

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinance and conditions consistent with Title 33 and has disclosed the source of funds for said purchase;

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

1. It hereby does authorize the **Person-To-Person, Place- To- Place Transfer** of Plenary Retail Consumption Liquor License Number 1507-33-021-0010 from **SCE Investors LLC. To Valnrose, LLC, with the address of 11 Kettle Creek Rd, Toms River, NJ 08753.**

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

- a) Police Department
- b) Chief Financial Officer
- c) Township Attorney
- d) State of New Jersey
Division of Taxation
PO Box 281
Trenton, NJ 08695
- e) Valnrose, LLC
3301 Route 37
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING REPLACEMENT PERFORMANCE GUARANTEES FOR A MAJOR SUBDIVISION KNOWN AS BLOCK 693, LOT 20 AND 56 (697 Brookside Drive)

May 10, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Block 693, Lot 20 & 56

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond #S278669 in the amount of \$200,430.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Check in the amount of \$22,270.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Check in the amount of \$4,639.64 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 Somerset 697 Brookside, 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. Somerset 697 Brookside, LLC
101 Crawford's Corner Road
Holmdel NJ 07733

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS BANK OF AMERICA, BLOCK 506.03 LOT 28.03 (1051 Route 37 West)

May 10, 2023

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 506.03, Lot 28.03.

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 \$640.00 currently on deposit in account # X-19- -601-767 is hereby released with applicable interest if any;
- 2) Cash Bond in the amount of \$3,600.00 currently on deposit in account # X-19- -601-785 is hereby released;

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

- e. Township Engineer
- f. Chief Financial Officer
- g. Township Attorney
- h. Northfield Construction
16 Ray Place
Fairfield, NJ 07004

Art Anderson, 12 Park Street, asked how much the following license went for.

Council President Lotano said 1.6 million.

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

**RESOLUTION AUTHORIZING THE ISSUANCE OF A
NEW LIQUOR LICENSE TO MB VINEYARDS**

May 10, 2023

WHEREAS, the Township of Toms River has the authority to issue a new retail distribution licenses for the sale of alcoholic beverages; and

WHEREAS, a license was sold at public sale, and the successful bidder was Benjamin Ovitsh; and

WHEREAS, Benjamin Ovitish has made application for the issuance of that license and paid the necessary fees for such issuance; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental ABC laws and regulations; and

WEREAS, the applicant has disclosed, and the issuing authority has ascertained and reviewed the source of any additional financing obtained for use in the licensed business;

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 Plenary Retail Distribution license is hereby granted to Benjamin Ovitish, (In Pocket) mailing address 2140 Lakewood Rd Toms River, NJ 08755, effective May 11, 2023 for the above-referenced (Pocket-inactive), to wit:

1507-44-062-001
Benjamin Ovitish
MB Vineyards
2140 Lakewood Rd
Toms River, NJ 08755

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

- a) Police Department
- b) Chief Financial Officer
- c) Township Attorney
- d) State of New Jersey
Division of Alcoholic Beverage Control
140 E. Front Street
P.O. Box 087
5th Floor
Trenton, N.J. 08625-0087
- e) MB Vinyards
2140 Lakewood Rd
Toms River, NJ 08755

Council Member Rodrick asked questions regarding the following Resolution.

Township Engineer Chankalian answered state required 20% is affordable.

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 Lamb and Rodrick voting no, to approve the following Resolution.

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
THE MAYOR TO SIGN AN AFFORDABLE HOUSING DEED
RESTRICTION FOR THAT DEVELOPMENT KNOWN AS CAMELOT
AT TOMS RIVER**

MAY 10, 2023

WHEREAS, the Township of Toms River Housing Element and Fair Share Plan, dated February 3, 2017, approved by the Superior Court of New Jersey, Law Division, in draft form on December 16, 2016, identifies in "Appendix D: Third Round Compliance Plan Summary" "Camelot at Toms River" as an inclusionary rental development; and

WHEREAS, on May 19, 2019, the Township Council authorized the Mayor to execute an Affordable Housing Agreement for the Camelot at Toms River development confirming that the development would have 128 market rental units and 26 affordable rental units; and

WHEREAS, Camelot at Toms River is ready for occupancy, and to effectuate the Housing Element and Fair Share Plan and the Affordable Housing Agreement signed a Deed Restriction imposing affordable housing controls on the twenty-six (26) affordable units for a period of thirty (30) years; and

WHEREAS, the Township of Toms River desires to restrict the affordable units as described in the attached Deed Restriction and to authorize the Township Mayor to sign the same.

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

1. The Township Mayor is hereby authorized to sign the Deed Restriction.
2. The Township Special Affordable Housing Council is hereby authorized to record the Deed Restriction.
3. This Resolution shall take effect immediately.
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) Administrator
 - d) Township Attorney
 - e) Certified Financial Officer
 - f) Albert Cruz, Esq.
DiFrancesco Law Firm
15 Mountain Blvd.
Warren, NJ 07059
 - g) Township Planner
 - h) Township Engineer
 - i) Piazza & Associates, Inc.
216 Rockingham Row

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 Lamb and Rodrick voting no, to approve the following Resolution.

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS TO URBAN ENGINEERS FOR AWARD OF CONTRACT FOR FINAL DESIGN FEES FOR THE DOWNTOWN TOMS RIVER LOOP PROJECT IN THE MAXIMUM AMOUNT OF \$366,356.16, WHICH WAS APPROVED BY THE NJDOT ON APRIL 3, 2023, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE MUNICIPAL CLERK TO ATTEST TO AN AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND URBAN ENGINEERS

MAY 10, 2023

WHEREAS, proposals were received for Final Design Fees for the Downtown Toms River Loop Project through the competitive contracting process; and

WHEREAS, on June 8, 2021 the Township of Toms River received four (4) proposals for the Downtown Toms River Loop Project through the competitive contracting process in accordance with NJSA 40A:11-4.1 which allows for price and other factors; and

WHEREAS, the review committee for this solicitation was led by David G. Roberts, Township Planner, and rated by Wendy Birkhead, Assistant Township Engineer, and Robert Hudak, Assistant Planner; and

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

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

	<u>Total Score</u>
Colliers Engineering & Design 331 Newman Springs Rd., Suite 203 Red Bank, NJ 07701	221
French & Parrello Assoc. 1800 Route 34, Suite 101 Wall, NJ 07719	242
Traffic Planning & Design Inc. 303 West Main St., Suite 330 Freehold, NJ 07728	237
Urban Engineers 220 Lake Dr. East, Suite 300 Cherry Hill, NJ 08002	267

WHEREAS, the scores were based upon the following observations:

Colliers Engineering & Design – Proposal did not provide project schedule or hours, referenced no roundabout project experience, leads are municipal engineers rather than transportation engineers, included PS&E scope in proposal, reliant on NV5 for agency requirements and NEPA compliance, reference requirements for

DOT approvals not applicable with Township as a direct recipient of FHWA funds, NV5 – BE, PCA (DBE), project experience focus on road widenings.

French & Parello Assoc. – Proposal did not provide project schedule or hours, ROW acquisition deferred to FD, project profiles include only one Ocean County project and one Toms River street elevation, later completion date provided little cushion for completion of construction by FHWA grant deadline, (No DBE), BVE, GPI – (GSP EXIT 80-83 project experience).

Traffic Planning & Design, Inc. – Proposal provided project schedule, but not estimate of hours, focused on LPE only, strong roundabout design and project experience, most of the firm’s experience is outside the area, DBE / ESBE, GEOD survey, ACT Eng. (Stantec) PCA, proposed completion of LPE in November 2022.

Urban Engineers – Proposed earlier start to NEPA, strong roundabout design and project experience (DBE / ESBE), GEOD (survey), submitted concept. Provided project schedule, but no estimate of hours, included FD and PS&E scope, Proposed March 2022 LPE completion date, PCA (DBE).

WHEREAS, the Committee unanimously chose Urban Engineers, Cherry Hill, New Jersey, for the following reasons:

1. Best understanding of the overall project schedule. Proposed completion of LPE phase by March of 2022.
2. Best background knowledge of project area and scope based on their development of the LCD and their analysis of detours for the Huddy Park /Rt. 166 bridge replacement project over the past five years.
3. Demonstrated design experience with roundabouts.
4. Familiarity with County road transportation/traffic projects as the County’s on-call transportation/traffic engineer.

WHEREAS, after notifying NJDOT of the preferred vendor and receiving authorization from them to move forward, the cost proposal from Urban Engineers was opened. The final design phase of this project with Urban Engineers in the amount of \$366,356.16 was approved by NJDOT on April 3, 2023; and

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

1. It hereby awards a contract to Urban Engineers for the Final Design Fees for the Downtown Toms River Loop Project through the competitive contracting process, for a total maximum contract amount not to exceed \$366,356.16, with funds available as follows:

Account No. X-99-	-907-796	\$290,000.00
Account No. X-04-	-251-098	<u>\$ 76,356.16</u>
Total:		\$366,356.16

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

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) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Division of Purchasing
- e) Township Engineer
- f) Township Planner
- g) Planning Board
- h) Certified Financial Officer
- i) Township Attorney
- j) All Aforementioned Vendors

Council Member Rodrick asked about qualifications of Jeff Brown.

Geri Ambrosio mentioned that Toms River is lucky to have Jeff Brown.

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

RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONFIRMING THE APPOINTMENT OF JEFFREY BROWN, CTA, AS TOWNSHIP TAX ASSESSOR

MAY 10, 2023

WHEREAS, William Laird, CTA, has resigned his non-tenured position as Tax Assessor; and

WHEREAS, the Mayor has nominated Jeffrey Brown, CTA, to serve as Tax Assessor to fill Mr. Laird's unexpired term effective May 10, 2023, through June 30, 2024, and for a full four-year term commencing July 1, 2024, and expiring June 30, 2028; and

WHEREAS, Mr. Brown has served for seven years as Deputy Tax Assessor and possesses the qualifications to serve as Tax Assessor:

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

1. Pursuant to N.J.S.A. 40A:9-146 and N.J.S.A. 40A:9-148, and §19-1B of the Township Code, the Township Council hereby confirms the appointment of Jeffrey Brown, CTA, as Tax Assessor to fill the unexpired term of William Laird, CTA, effective May 10, 2023, through June 30, 2024, and to a full four-year term commencing July 1, 2024, and expiring June 30, 2028.

2. Mr. Brown shall receive a base salary of \$130,000, consistent with the range established in the prevailing salary ordinance. He shall hold public office hours on weekdays from 8:30 am to 4:30 pm.

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

- a. Mayor
- b. Business Administrator
- c. Chief Financial Officer
- d. Township Attorney
- e. Department Heads
- g. Jeffrey Brown, CTA
- h. Director, New Jersey Division of Taxation
- i. Administrator, Ocean County Tax Board

REPORTS

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

Building Department

	2023	2022
Building Permits – April	\$330,694.00	\$326,983.00
Building Permits – YTD through April	\$1,317,483.00	\$1,320,612.00

Recreation Department

	2023	2022
Bey Lea Golf Course- April	\$204,126.48	\$167,201.42
Bey Lea Golf Course- YTD through April	\$397,095.40	\$311,268.57
Winding River Ice Rink- April	\$76,130.50	\$78,425.00
Winding River Ice Rink- YTD through April	\$477,344.54	\$415,307.98
Pool Badges- Week 5	\$1,900.00	\$900.00
Beach Badges- Week 5	\$125,230.00	\$95,175.00

APPROVAL OF BILLS

Council President Lotano asked for a report on the bills.

The Bill List, dated **May 4, 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 in the amount of \$214.50.

Purchase Order 23-02407, payable to Kreans Autobody in the amount of \$8,714.58.

Councilman Geoghegan - NONE

Councilman Ciccozzi – NONE

Councilman Kopp abstained due to Business conflicts on the following:

Purchase Order 23-01582, 23-01926, and 23-02204, payable to Owen Little & Association in the amount of \$36,129.46.

Councilman Lamb abstained due to Business conflicts on the following:

Purchase Order 23-00036, payable to Borough of Lavallette in the amount of \$928.21.

Purchase Order 23-00754, & 23-00755, payable to Citta, Holzapfel, Zarbarsky in the amount of \$14,150.00.

Purchase Order 23-02591, payable to Magistrate Salaries in the amount of \$4,119.23.

Councilman Quinlisk abstained due to Business conflicts on the following:

Purchase Order 23-02414, payable to Hands For All in the amount of \$11,546.54.

Purchase Order 20-00569, 23-01580, & 23-02360, payable to Remington & Vernick Engineers in the amount of \$4,404.08.

Councilman Rodrick – NONE

ELECTED OFFICIALS COMMENTS

Council President Lotano thanked administration for getting beach replenishment going.

Councilman Quinlisk had no comments.

Councilman Rodrick spoke on pension reform, claims Toms River paid for Mayor’s lawsuit against state.

A motion was made by Councilman Rodrick, seconded by Councilman Lamb, with the following votes as noted:

- Council Member Ciccozzi No
- Council Member Kopp No
- Council Member Quinlisk No
- Council Member Geoghegan No
- Council President Lotano No

Councilman Geoghegan wish success to Toms River Police in memory of the fallen.

Councilman Kopp grew up in Silverton and wants property to remain as woods.

Councilman Ciccozzi, mentioned that Ocean First Bank are giving out college scholarships. He also spoke about issues with death of whales.

Mayor Hill spoke regarding all past Council Meetings are on youtube; naming VA center for Bud Lomell; Flag drop outside Town Hall; Thanked Council for voting yes on St. Joseph property; required assessment on EMS in town, county and working on more coverage on Barrier Island.

Councilman Lotano is happy with beach replenishment; congratulated Police Department on accreditation; congratulated BID on event past weekend, and spoke on open space acquisitions.

PUBLIC COMMENTS

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

Mairin Bellack, Director of Toms River BID, spoken on BID Cinco De Mayo Event was a big success, and downtown night out on Friday and Saturday all summer.

Pat Klaslow, Ortley Beach, asks council to not speak over each other.

Mark Mutter, 53 Manor Rd, spoke on issues with the way township handles redevelopment plans; asked for analysis of all actions done by council, planning board and land use regarding redevelopment plans. Township Attorney Merlino explained reason why advertisement date was incorrect.

Gabrielle Dawn, 9 Bayshore Drive, thanked council for help with issues on Bayshore drive, it has approved.

Irene Watson questioned what are the plans to prevent pop up parties? Councilman Lotano mentioned that Toms River Police Department is coming up with a plan to address issues.

Paul Jeffries, 1661 Bay Blvd, asks Toms River Police Department to enforce laws for crowds in Ortley Beach.

Dana Tormullan, Messenger Street, spoke regarding pension systems for elected officials, and council meetings are not for campaigning.

Gary Mundy, 303 Glendale Drive, spoke regarding 27 Washington Street, and how property was valued.

Geri Ambrosio, 938 Millstone Court, spoke on issues with EMS on Barrier Island; wants to address this quickly; would like to cut wasteful fees in newsletter. Councilman Lotano does not see them as wasteful fees.

To **CLOSE** the public meeting at 8:07 p.m.. A motion was made by Council Member Geoghegan, Seconded by Council Member Kopp, and with the following votes as noted.

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

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

R E S O L U T I O N

WHEREAS, the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 to -21, permits public bodies to enter into executive or closed session to discuss confidential matters enumerated in N.J.S.A. 10:4-12b; and

WHEREAS, the Township Council intends to discuss the following matters, which are excluded from public discussion pursuant to N.J.S.A. 10:4-12b; and

WHEREAS, the Township Council intends to discuss the following matters, which are excluded from public discussion pursuant to N.J.S.A. 10:4-12b;

- Executive Session minutes review (December 28, 2022)
- Personnel Matters: Vacancy in the Office of Deputy Clerk

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

1. Pursuant to N.J.S.A. 10:4-12b, the Township Council will convene in an executive session to discuss the following matters:

- Review of minutes from the December 28, 2022, Executive Session
- Personnel Matters: Vacancy in the Office of Deputy Clerk

2. Pursuant to N.J.S.A. 10:4-13, minutes of this executive session will be kept and may be disclosed to the public once the need for confidentiality no longer exists.

3. A certified copy of this resolution shall be kept on file in the Office of the Township Clerk.

To **RECONVENED** the public portion at 8:03 p.m.. A motion was made by Council Member Geoghegan, seconded by Council Member Lotano, and carried with Council Members Ciccozzi, Geoghegan, Kopp, Lamb, Quinlisk, Rodrick, and with Council Present Lotano voting yes

A motion to go **BACK** into Public Session by Council Member Quinlisk, Seconded by Council Member Geoghegan, and with the following votes as noted.

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

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

RESOLUTION APPROVING EXECUTIVE SESSION MINUTES

WHEREAS, the attached Executive Session Minutes have been reviewed as to form and accuracy;

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

1. The following Executive Session Minutes are approved:

December 28, 2022 Regular Meeting

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

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, APPOINTING JACKLYN A. DEPASQUALE AS FULL TIME DEPUTY MUNICIPAL CLERK OF THE TOWNSHIP OF TOMS RIVER, FOR A THREE (3) YEAR TERM, COMMENCING MAY 10, 2023 THROUGH MAY 9, 2026

MAY 10, 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. Jacklyn A. Depasquale is appointed to the position of full time Deputy Municipal Clerk of the Township of Toms River, for a term of three (3) years, commencing May 10, 2023 through May 9, 2026, at the starting salary of \$55,000.00 per annum, with eligibility for a stipend within the range provided in the prevailing salary ordinance, contingent upon receiving her Registered Municipal Clerk Certification. The appointment is made pursuant to Section 14-6A of the Township Code.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Municipal Clerk
- f) Deputy Municipal Clerk
- g) Jacklyn A. Depasquale
- h) Certified Financial Officer
- i) Human Resources
- j) All Department Heads

No other business appearing, the meeting was **adjourned** at 8:05 P. M., on motion with 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.

MATT LOTANO, COUNCIL PRESIDENT

MICHAEL CRUOGGIO, TOWNSHIP CLERK