

May 11, 2021

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 6:00 PM.

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

A moment of silence was held for the recent death for Tom Gannon who passed away.

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

OPEN PUBLIC MEETINGS ACT
STATEMENT

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Friday, January 8, 2021, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Wednesday, January 6, 2021, 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 5, 2021. The meeting dates have also been posted on the Township web page.

Roll Call:

Council Member Huryk	- Present
Council Member Kopp	- Present
Council Member Lotano	- Present
Council Member Rodrick	- Present
Council Member Turnbach	- Present
Council Vice-President Maruca	- Present
Council President Geoghegan	- Present

APPROVAL OF MINUTES

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, and Turnbach and with Council President Geoghegan voting yes, to approve the **Regular Meeting of April 27, 2021**. 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 Maruca, seconded by Council Member Huryk, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and with Council President Geoghegan voting yes, to make the following honoring proclamations a part of the Minutes.

Council Member Huryk presented Giovanna Onofrietti a proclamation and gave speech regarding the Gold Award.

Township of Toms River
Proclamation

Girl Scout Gold Award

May 11, 2021

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

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

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

WHEREAS, Giovanna has been a Girl Scout for 13 years, serving as CEO Advisory Board member, elected Regional Delegate of NJ for 4 years, CEO Advisory Board Social Media Coordinator and Ambassador Troop Member; and

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

*WHEREAS, Giovanna Onofrietti's Girl Scout Gold Award project, "**Shedding Light on Wranglebrook Community Garden,**" aimed to address the issue of a lack of healthy and nutritious food for the community of the elderly, children, and those hungry and in need of fresh food and free of pesticides. Giovanna combated this issue by providing safety and security to the tools and resources used to supply the Community Food Pantry garden. Giovanna and her Committee dedicated over 113 hours in planning and building a shed. Giovanna also plans to go back to the shed to enhance it with a garden mural painting to help maintain the mental health of the community members and their friends and family of the garden. Although there were scheduling challenges due to the weather and various volunteers' scheduling conflicts, Giovanna addressed them on the spot and pulled through for the project and her team. As the next chapters of Giovanna's life unfold, she will always remember her time as a Girl Scout which has instilled in Giovanna the importance of community service, empathy, and commitment; and*

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

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

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

Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan, Council President

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria Maruca

Daniel T. Rodrick

Terrance L. Turnbach

Council President Geoghegan mentioned no one was present for the Paint the Board Pink, but explained it to the crowd.

Township of Toms River

Proclamation

“Paint the Town Pink” Month May 2021

WHEREAS, each May, towns in Ocean County join Meridian Health's Paint the Town Pink effort to raise awareness of the importance of annual mammography and;

WHEREAS, the Township of Toms River desires to recognize the Month of May 2021 as “Paint the Town Pink Month”; and

WHEREAS, the Township seeks to reaffirm the commitment to overall wellness by promoting early detection as the best defense against cancer and other health-related issues through distribution of information and wearing pink; and

WHEREAS, the Township of Toms River proclaims the month of May as “Paint the Town Pink” Month and honors and endorses all programs in Ocean County which encourage the importance of raising awareness for preventative annual health screenings.

NOW, THEREFORE, be it resolved that We, Mayor Maurice B. Hill, and Kevin M. Geoghegan, Council President of the Township of Toms River in the County of Ocean and State of New Jersey, with the full concurrence of the Township Council, proclaim May 2021 as “Paint the Town Pink Month.” During this month, we encourage all residents, schools and businesses in town to decorate in pink to promote breast cancer awareness.

Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan
Council President

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria L. Maruca

Daniel T. Rodrick

Terrance L. Turnbach

Council President Geoghegan congratulated and presented proclamation to Jake Rice and Giovanna Onofrietti. Kaitlyn Culbert could not attend. Council Member Huryk explained what “Authentic Science Research Fair” was about.

Township of Toms River

Proclamation

Jake Rice
May 11, 2021

WHEREAS, the Intel International Science and Engineering Fair (Intel ISEF), is the world’s largest science competition for high school students and;

WHEREAS, student winners are ninth through twelfth graders who earned the right to compete at the Intel ISEF 2021 by winning a top prize at a local, regional, state or national science fair and;

WHEREAS, Jake Rice, a senior at Toms River High School South, won second place in the physics category at Stockton’s Jersey Shore Science Fair and;

WHEREAS, this earned him entry into the Delaware Valley Science Fair where he placed 1st in the 12th grade physics category earning him entry into the Intel ISEF and;

NOW, THEREFORE, be it resolved that I, Mayor Maurice B. Hill, with the full concurrence of the Township Council, congratulate Jake Rice on his accomplishments and awards in the field of physics and wish him continued success at Johns Hopkins University.



Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan
Council President

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria L. Maruca

Daniel T. Rodrick

Terrance L. Turnbach

Township of Toms River

Proclamation

Giovanna Onofrietti

May 11, 2021

WHEREAS, the Intel International Science and Engineering Fair (Intel ISEF), is the world's largest science competition for high school students and;

WHEREAS, student winners are ninth through twelfth graders who earned the right to compete at the Intel ISEF 2021 by winning a top prize at a local, regional, state or national science fair and;

WHEREAS, Giovanna Onofrietti, a senior at Toms River High School North, won second place in biochemistry at Stockton's Jersey Shore Science Fair for her project on the effects of bioactive compounds of berry seed extract on cariogenic and periopathogenic bacteria and;

WHEREAS, this earned her entry into the Delaware Valley Science Fair where she placed 2nd out of all the 12th graders earning her the Silver Medal and entry into the Intel ISEF and;

WHEREAS, Giovanna received a Special Award from Harrisburg University's School of Science & Technology that awarded her a \$15,000 scholarship and she also received the Eastern Regional Research Center Future Scientist Award, which honors students for having meritorious projects that include agricultural research.

NOW, THEREFORE, be it resolved that I, Mayor Maurice B. Hill, with the full concurrence of the Township Council, congratulate Giovanna Onofrietti on her accomplishments and awards in the field of science and engineering and wish her the best of luck at Harrisburg University.



Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan
Council President

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria L. Maruca

Daniel T. Rodrick

Terrance L. Turnbach

Township of Toms River

Proclamation

Kaitlyn Culbert
May 11, 2021

WHEREAS, the Intel International Science and Engineering Fair (Intel ISEF), is the world's largest science competition for high school students and;

WHEREAS, student winners are ninth through twelfth graders who earned the right to compete at the Intel ISEF 2021 by winning a top prize at a local, regional, state or national science fair and;

WHEREAS, Kaitlyn Culbert, a freshman at Toms River High School North, won second place in the environmental category at Stockton's Jersey Shore Science Fair for her project on breakthroughs in honey bee health and;

WHEREAS, this earned her entry into the Delaware Valley Science Fair where she placed 1st out of all the 9th graders earning her the Gold Medal, making Kaitlyn in the top four students out of all high school students from three states and earning her entry into the Intel ISEF and;

WHEREAS, Kaitlyn also received a Special Award, First Runner Up – American Entomological Society, awarded to outstanding accomplishments in insect-related study, preferably related to a local species.

NOW, THEREFORE, be it resolved that I, Mayor Maurice B. Hill, with the full concurrence of the Township Council, congratulate Kaitlyn Culbert on her accomplishments and awards in the field of entomology and wish her great success in her future endeavors.



Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan
Council President

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria L. Maruca

Daniel T. Rodrick

Terrance L. Turnbach

2021 Toms River Special Improvement District budget public hearing

Mairin Bellack, Executive BID Director, spoke and gave a brief overview of what the BID does; no tax increase.

A motion was made by Council Member Maruca, seconded by Council Member Huryk, and with all Council Members who were present voting yes, **to close the public hearing.**

A motion was made by Council Member Maruca, seconded by Council Member Turnbach, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and Council President Geoghegan voting yes, **to approve the 2021 Toms River Special Improvement District Budget.**

TOMS RIVER SPECIAL IMPROVEMENT DISTRICT BUDGET

MAY 11, 2021

WHEREAS, the Toms River Township Special Improvement Budget is stated, below, and

WHEREAS, the public hearing was held on May 11, 2021.

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

1. It hereby adopts the Toms River Special Improvement District Budget for 2021 as:

S01 Ratables	\$139,408,600
S02 Ratables	\$ 49,447,500

Total 2021 Revenue to be raised by taxation

S01 Budget	\$252,000
S02 Budget	\$ 28,000

S01 Proposed 2021 Tax Rate	\$0.181
S02 Proposed 2021 Tax Rate	\$0.057

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

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

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING VARIOUS SECTIONS OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS), TO REPEAL AND REPLACE SECTION 348-8.28.1 (STORMWATER MANAGEMENT CONTROL), IN ITS ENTIRETY

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

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

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

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

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

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

Council Member Huryk	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes
Council Member Rodrick	Yes
Council Member Turnbach	Yes
Council Vice-President Maruca	Yes
Council President Geoghegan	Yes

Council Member Turnbach asked Township Engineer Chankalian to explain the following Ordinance.

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE FRANCHISE RENEWAL RIGHTS TO NEW JERSEY NATURAL GAS COMPANY TO LAY AND MAINTAIN GAS MAINS, PIPES AND SERVICE PIPES, IN AND UNDER THE SURFACE OF ANY OR ALL OF THE

ROADS, STREETS, AVENUES, HIGHWAYS AND PUBLIC PLACES, FOR THE PURPOSE OF FURNISHING NATURAL GAS TO THE TOWNSHIP OF TOMS RIVER

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

On motion by Council Member Huryk, seconded by Council Member Turnbach and carried, the public hearing was closed.

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

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

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

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

Council Member Huryk	Yes
Council Member Kopp	Yes
Council Member Lotano	Yes
Council Member Rodrick	No
Council Member Turnbach	Yes
Council Vice-President Maruca	Yes
Council President Geoghegan	Yes

Alison Carlisle, Township Clerk read the following Ordinance of which the title only was read in full:

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ESTABLISHING A NEW CHAPTER 234 OF THE TOWNSHIP CODE TO PROHIBIT THE OPERATION OF CANNABIS ESTABLISHMENTS, DISTRIBUTORS, AND DELIVERY SERVICES IN THE TOWNSHIP

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

Laurie Singer, 115 Garfield Ave, support safe and legal cannabis dispensary
Hugh Giordano, 57 Arayle Blackwood, NJ (Camden County) support legalizing cannabis, asked to table and look at Bayonne ordinance.
Sam Foster, Brick, asked if he would get stopped as a delivery guy in Toms River.
Raphael Rivera, in favor of cannabis.

Kenneth Telegram support cannabis.

Brice Morgan apologize to Council Member Rodrick for meds comment.

Elizabeth Puglisi, Camino Reale Drive, worked as a nurse for pain center. There are other forms of pain management besides narcotics and marijuana.

Tammy Miller, 30 Turnberry Circle, support having a dispensary for medical and recreational cannabis; there are many benefits mentioned.

Daniel Kessel, support cannabis, if not tabled, lawsuits will come for discrimination.

Susan Gato, 1946 Mt Juliano Lane, Register nurse for 40 years, support cannabis, veterans use to complaint of 1.5 hour drive to medical dispensary.

Kyle Dennerlein, Longman St, Berkeley, he does consulting work for banks and he's seen the money that's going into the industry and urged Toms River to be part of it.

Douglas Clay, support cannabis

Laurie Singer, against cannabis, spoke of zoning issues with cannabis dispensary.

Brice Morgan asked what Council Members would say if they read the law.

Richard Cirillo need to gather more information regarding pros and cons.

John Leocano, Veteran, Toms River Veterans Commission and Legion, needs more information regarding pros and cons.

Councilman Turnbach suggested that a committee of residents and experts be formed to better educate the council before their vote.

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

On motion by Council Member Turnbach, seconded by Council Member Huryk and carried with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and with Council President Geoghegan voting yes, and with Council Member Rodrick voting no, **to table to the next two Council Meetings on Wednesday, June 9, 2021 (Tuesday, June 8, 2021 being 2021 Primary Election Day)**.

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

**RESOLUTION OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY,
PROPOSING A THREE (3) YEAR PROJECT CALLED "RALLY FOR BARNEGAT BAY", TRACKING
DOWN AND ELIMINATING SOURCES OF SANITARY SEWAGE IN THE TOMS RIVER**

MAY 11, 2021

WHEREAS, the Toms River is unique as the largest river flowing into Barnegat Bay and acts as an essential economic, social, and environmental driver of the region, providing for unparalleled aesthetic, recreational, and commercial value; and

WHEREAS, the Toms River is listed as impaired on the US Environmental Protection Agency's 303(d) List of Impaired Waterways, (as required by the Clean Water Act), for primary contact recreation, shell-fishing, and dissolved oxygen; and

WHEREAS, the negative impacts of pathogen pollution from sanitary sewage including aged infrastructure, cross-connections, or other failed systems detract from the ability of our communities and citizens to enjoy and profit from the river and bay, including the frequent closures of designated swimming beaches; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) has made a Barnegat Bay Phase II, Moving Science into Action grant to Clean Ocean Action (COA) to coordinate a project in close partnership with Save Barnegat Bay (SBB) and the Marine Academy Technology and Environmental Science (MATES); and

WHEREAS, the “River Towns” of Toms River, South Toms River, Pine Beach, Beachwood, Island Heights, and Ocean Gate have a shared goal of a collaborative and cooperative community approach, to 1) tracking down; and 2) eliminating sources of sanitary sewage in the Toms River; and

WHEREAS, this 3-year project called “Rally for Barnegat Bay” is based on COA’s successful ‘Rally for the Waterways’ model, which includes their signature “Find it, Fix it” strategy, and a “No Blame Game” approach to eliminating sources; and

WHEREAS, a Rally Roundtable will be established and composed of designated representatives of the River Towns, COA, SBB, MATES and the County of Ocean; and

WHEREAS, the Roundtable will serve as the preeminent liaison between citizens and local governance, and is tasked with facilitating the dispersal of information, action updates, and data between citizens, local and State Government, and environmental organizations; and

WHEREAS, the project includes access for the River Towns to possibly detain mini-grant funds available for both finding and fixing eligible sources of pathogen pollution discovered through the project;

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

1. The Township Council hereby orders the creation of a Rally Roundtable, to commit itself through the Facilitator, which will coordinate meetings and encourage open communication of the Roundtable, and through each member to:

- (a) Actively participate and fulfill its role as a key entity through designating one elected official and one municipal staff/appointee who is knowledgeable about water and wastewater infrastructure (e.g. Public Works Director, municipal engineer, or other similar designee) to participate in the Rally Roundtable routinely to share and keep updated of project progress;
- (b) Establish a relationship between partners and towns;
- (c) Provide regular updates on source track down progress;
- (d) Understand that certain information provided during certain meetings can be sensitive and therefore confidential, which will be disclosed in advance of the meeting. Roundtable members agree to not disclose proprietary information;
- (e) Read and abide by the “Quality Assurance Project Plan (QAPP), Toms River Ambient Bacterial Source Track down 2021- 2023 for water quality monitoring investigations to address the goals of this project;
- (f) Agree to the ‘Find it, Fix it’ and ‘No Blame Game’ approach;
- (g) Agree to support all efforts related to pollution source track down including, but not limited to: Openly sharing information that is vital to conduct source track down investigations, such as sewer infrastructure maps, storm water maps, available water quality data, etc.,
- (h) Facilitating access for the project team to sampling locations, sample collections, and handling. This may require limited contributions of municipal staff time.
- (i) Remain familiar with the QAPP, as well as with any updates or modifications to the QAPP by NJDEP, COA, SBB and MATES.

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) Business Administrator
- c) Township Attorney
- d) Engineering Department
- e) Britta Forsberg
Executive Director
Barnegat Bay EcoCenter
117 Haines Road
Toms River, NJ 08753

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

**RESOLUTION OF THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN,
STATE OF NEW JERSEY, OPPOSING THE RATE INCREASES PROPOSED BY
NEW JERSEY NATURAL GAS**

May 11, 2021

WHEREAS, New Jersey Natural Gas (“NJNG”) is seeking approval from the New Jersey Board of Public Utilities to impose a 24.8% rate increase on ratepayers’ bills to pay for infrastructure improvements totaling \$165.7M; and

WHEREAS, NJNG’s requested increase would result in an increase of approximately \$28.07 per month to an average ratepayer’s bill; and

WHEREAS, the additional rate increase would be adding to the overall burden of natural gas consumers and impact negatively on the Township of Toms River homeowners; and

WHEREAS, the COVID-19 pandemic has had a negative financial impact on many Americans, and requesting a rate increase, especially one so high, is unconscionable; and

WHEREAS, the Director of the New Jersey Division of Rate Counsel has voiced her concerns over the high increase request; and

WHEREAS, the Mayor and Township Council wish to go on record in opposition of NJNG’s rate increase request, as it is untimely and causes an unnecessary financial hardship for struggling residents.

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 Council hereby opposes the petition of NJNG to the NJBPU for a rate increase and asks that the members of the NJBPU reject the rate increase in the interest of fairness to the impacted residents.

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

- a) Mayor Maurice B. Hill
- b) Township Council
- c) Chief Financial Officer
- d) Township Attorney
- e) **Joseph L. Fiordaliso, President**
Board of Public Utilities

- 44 S. Clinton Avenue
Trenton, NJ 08625
- f) Mark G. Kahrer
Vice-President, Regulatory Affairs
New Jersey Natural Gas Company
1415 Wyckoff Road
P.O. Box 1464
Wall, NJ 07719
- g) New Jersey Natural Gas Company
1415 Wyckoff Road
P.O. Box 1464
Wall, NJ 07719
- h) Stefanie Brand, Esq., Director
Division of Rate Counsel
140 East Front Street, 4th Floor
P.O. Box 003
Trenton, NJ 08625

CONSENT AGENDA

Township Clerk Carlisle 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 Maruca, seconded by Council Member Lotano, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and with Council President Geoghegan voting yes, to approve all the following items listed on the Consent Agenda except item **F, J and L**, which were done separately.

RESOLUTION

MAY 11, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO DUPLICATE TAX PAYMENTS,

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

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

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

- A refund shall be processed to party or parties to wit as follows:*

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
MANASQUAN SAVINGS BANK	935	21.03	-C0101 2021/2	\$5,915.14

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

Approved as to content:

R E S O L U T I O N

MAY 11, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A 2020 WIDOW OF A VETERAN DEDUCTION BEING REFUNDED BACK TO HOME OWNER, 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:*

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
<i>BOUGHNER, ROBERT & CAROL</i>	<i>1014</i>	<i>1</i>	<i>-C0101 2020/4</i>	<i>\$ 250.00</i>

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

Approved as to content:

RESOLUTION 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 412.05 LOT 31 EFFECTIVE JANUARY 1ST, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

MAY 11, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 412.05 Lot 31, located at 41 Gardenia Way, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1st, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 412.05 Lot 31 due on or after January 1st, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 412.05 Lot 31 if any, shall be refunded on a pro-rated basis from January 1st, 2021.
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 135.09 LOT 66 EFFECTIVE JANUARY 1ST, 2021, AND PROVIDING THAT PROPERTY TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

MAY 11, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 135.09 Lot 66, located at 2727 Meadow Lake Drive, has been certified by the Tax Assessor as a a of a 100% Disabled Veteran, effective January 1st, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 135.09 lot 66 due on or after January 1st, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 135.09 lot 66 if any, shall be refunded on a pro-rated basis from January 1st, 2021.
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 692
LOT 15 EFFECTIVE MARCH 9TH, 2021, AND PROVIDING THAT PROPERTY
TAXES FOR 2021, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR
REFUNDED**

MAY 11, 2021

WHEREAS, the owner of real property in the Township of Toms River known as Block 692 Lot 15, located at 515 Hollywood, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective March 9th, 2021 and

WHEREAS, property taxes for 2021, 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 2021 real property taxes for block 692 lot 15 due on or after March 9th, 2021, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 692 Lot 15 if any, shall be refunded on a pro-rated basis from March 9th, 2021.
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 11, 2021

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 MAYOR AND BUSINESS ADMINISTRATOR TO EXECUTE AN APPLICATION FOR FUNDING FOR A MUNICIPAL ALLIANCE GRANT FOR STATE FISCAL YEAR 2022 (JULY 01, 2021 THROUGH JUNE 30, 2022) IN THE AMOUNT OF \$26,033.00, WITH A TOWNSHIP MATCH OF \$6,508.25 (IN-KIND MATCH 75% OF DEDR ALLOC OF \$19,524.75)

MAY 11, 2021

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 and Business Administrator are authorized to execute an application for funding for a Municipal Alliance Grant for State Fiscal Year 2022 (July 01, 2021 through June 30, 2022) in the amount of \$26,033.00, with a Township Match of \$6,508.25 (In-Kind Match 75% of DEDR Alloc. of \$19,524.75).

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) Chief Financial Officer
- f) Joann Benson, Human Services
- g) Helen McGovern, Municipal Alliance

CERTIFICATION

THIS IS TO CERTIFY that the funds for the Municipal Alliance Grant match by the Township, in the total amount of \$6,508.25, are available contingent upon adoption of the CY2022 municipal budget.

More specifically, the actual encumbrance of the funds will be based upon the approval of a fully executed purchase order by the Chief Financial Officer. Said purchase order will encumber the funds for the affected account at that time.

May 11, 2021 17

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 11, 2021

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD
OF REBID AND NEGOTIATED CONTRACTS FOR THE SUPPLY OF GRASS SEED,
FERTILIZER, HERBICIDES, FUNGICIDES, INSECTICIDES, INFIELD MIX, TOP
DRESSING & BUNKER SAND FOR ITEM NUMBERS 2, 7, 9, 13, 14, 17, 28, 52, 54,
68, 74, 75, 77, 78, 83 - 86, 88 - 91, 93, 94, 96, 99, 100, 104 - 106, 109, 111, 113, 115 -
117, 120 - 124, 129 - 143, 149 - 155, TO VARIOUS VENDORS**

MAY 11, 2021

WHEREAS, the Division of Purchasing requests authorization to award rebid and negotiated contracts for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand for Item Numbers 2, 7, 9, 13, 14, 17, 28, 52, 54, 68, 74, 75, 77, 78, 83 - 86, 88 - 91, 93, 94, 96, 99, 100, 104 - 106, 109, 111, 113, 115 - 117, 120 - 124, 129 - 143, 149 - 155 to various vendors; and

WHEREAS, bids were received from the following vendors on February 3, 2021:

Davison Golf, Inc.
7462 Railroad Ave.
Harmans, MD 21077

Seeton Turf Warehouse LLC
25 Roland Ave.
Mt. Laurel, NJ 08054

Levitt's LLC
621 Edwards Rd.
Parsippany, NJ 07054

Nutrien AG Solutions Inc.
1470 Jersey Ave.
North Brunswick, NJ 08902

Tuckahoe Sand and Gravel Co., Inc.
2819 Fire Road
Egg Harbor Township, NJ 08234

Grass Roots Turf Products, Inc.
4 Middlebury Blvd., Suite 7
Randolph, NJ 07869

WHEREAS, Items 2, 7, 9, 13, 14, 17, 28, 52, 54, 68, 74, 75, 77, 78, 83 - 86, 88 - 91, 93, 94, 96, 99, 100, 104 - 106, 109, 111, 113, 115 - 117, 120 - 124, 129 - 143, 149 - 155 received no bids and were rebid; and

WHEREAS, Items 2, 7, 9, 13, 14, 17, 28, 52, 54, 68, 74, 75, 77, 78, 83 - 86, 88 - 91, 93, 94, 96, 99, 100, 104 - 106, 109, 111, 113, 115 - 117, 120 - 124, 129 - 143, 149 - 155 were rebid on March 3, 2021, and received from the following vendors:

Plant Food Company
38 Hightstown-Cranbury Station Rd.
Cranbury, NJ 08512

Harrell's, LLC
5105 New Tamps Hwy.
Lakeland, FL 33815

Tri-State Materials, LLC
d/b/a Green Pro Materials
PO Box 604
Lanoka Harbor, NJ 08734

Site One Landscape
1385 East 36th Street
Cleveland, OH 44114

WHEREAS, rebid Items shall be awarded as follows:

Plant Food Company - for Item Numbers: 83-85, 88-91, 99, 104-106, 109, 111, 113, 115, 116, 123, 129-133, 136, 139, 141, 142, and 149-151.

Harrell's, LLC - for Item Numbers: 9, 13, 75, 77, 78, 120-122, 134, 135, 138 and 140.

Tri-State Materials, LLC d/b/a Green Pro Materials - for Item Number: 152

Site One Landscape - for Item Numbers: 2, 17, 28, 68, 74, 94 and 100.

Item Numbers 7, 14, 52, 54, 86, 93, 117, 124, 137, 143 and 153-155 received no bids. Based on NJSA 40A:11-5(3)(a) negotiations were invited from various vendors for Item Numbers 7, 14, 52, 54, 86, 93, 117, 124, 137, 143 and 153-155. Two vendors, Site One Landscape, 1385 East 36th St, Cleveland, OH 44114, and Mitchell Products LLC, 1205 W. Main St, Millville, NJ 08332 responded to the request.

Negotiated Items shall be awarded as follows:

Site One Landscape - for Item Numbers: 14, 52, and 93.

Mitchell Products, LLC - for Item Number: 86.

Item Numbers 7, 124, 137, 143 received no bids, and Item Numbers 117, 153-155 were rejected because pricing was too high. Quotes will be obtained prior to purchasing these items.

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. Rebid Items shall be awarded as follows:

Plant Food Company - for Item Numbers: 83-85, 88-91, 99, 104-106, 109, 111, 113, 115, 116, 123, 129-133, 136, 139, 141, 142, and 149-151.

Harrell's, LLC - for Item Numbers: 9, 13, 75, 77, 78, 120-122, 134, 135, 138 and 140.

Tri-State Materials, LLC d/b/a Green Pro Materials - for Item Number: 152

Site One Landscape - for Item Numbers: 2, 17, 28, 68, 74, 94 and 100.

Item Numbers 7, 14, 52, 54, 86, 93, 117, 124, 137, 143 and 153-155 received no bids.

2. Based on NJSA 40A:11-5(3)(a), negotiations were invited from various vendors for Item Numbers 7, 14, 52, 54, 86, 93, 117, 124, 137, 143 and 153-155. Two vendors, Site One Landscape, 1385 East 36th St, Cleveland, OH 44114, and Mitchell Products LLC, 1205 W. Main St, Millville, NJ 08332 responded to the request.

3. Negotiated Items shall be awarded as follows:

Site One Landscape - for Item Numbers: 14, 52, and 93.

Mitchell Products, LLC - for Item Number: 86

Item Numbers 7, 124, 137, 143 received no bids, and Item Numbers 117, 153-155 were rejected because pricing was too high. Quotes will be obtained prior to purchasing these items.

4. These will be open-ended contracts 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.

5. These contracts are subject to all the terms and conditions of the bid specifications. Term of contracts shall be retroactive effective from March 11, 2021 through March 10, 2022.

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

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

- d) Division of Parks, Buildings and Grounds
- e) Bey Lea Golf Course
- f) Plant Food Company
38 Hightstown-Cranbury Station Rd.
Cranbury, NJ 08512
- g) Harrell's, LLC
5105 New Tampa Hwy.
Lakeland, FL 33815
- h) Tri-State Materials, LLC
d/b/a Green Pro Materials
PO Box 604
Lanoka Harbor, NJ 08734
- i) Site One Landscape
1385 East 36th Street
Cleveland, OH 44114
- j) Mitchell Products, LLC
1205 W. Main St.
Millville, NJ 08332

CERTIFICATION

THIS IS TO CERTIFY that the funds for the award of rebid and negotiated contracts for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing & Bunker Sand to the following vendors:

Plant Food Company
Harrell's, LLC
Tri-State Materials, LLC d/b/a Green Pro Materials
Site One Landscape
Mitchell Products, LLC

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

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 11, 2021

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

MAY 11, 2021

WHEREAS, the Division of Purchasing of the Township of Toms River has requested authorization to award open-ended contracts for Uniforms and Specialty Items for School Crossing Guards, Bicycle Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers (CSO'S), Town Hall Security and Animal Control Officers, for rebid items; and

WHEREAS, bids were originally received on March 3, 2021, where Item Numbers 28 and 29 were rejected because those items are no longer being manufactured, and substitute items were rebid; and

WHEREAS, Item Numbers 28, 29, 75, 90, 103, 105, 110, 115, 159 and 161-164 received no bids and were rebid; and

WHEREAS, bids were invited on April 28, 2021, for Item Numbers 28, 29, 75, 90, 103, 105, 110, 115, 159 and 161-164 and received from the following vendors:

Action Uniform Co. LLC	Galls, LLC
1500 S. New Rd.	1340 Russell Cave Rd.
Pleasantville, NJ 08232	Lexington, KY 40505

WHEREAS, after review by the Purchasing Division and the Police Department, they have recommended that items shall be awarded as follows:

Action Uniform Co. LLC - Item Numbers: 105 and 110.

Galls, LLC - Item Numbers: 28, 29, 75, 90, 103 and 115.

WHEREAS, Item Numbers 159 and 161-164 are rejected because the price is too high. These items are for uniform combinations and the corresponding items shall be purchased individually from the first contract awards;

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

1. It hereby awards open-ended contracts for Uniforms and Specialty Items for School Crossing Guards, Bicycle Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers (CSO'S), Town Hall Security and Animal Control Officers, rebid items as follows:

Action Uniform Co. LLC - Item Numbers: 105 and 110.

Galls, LLC - Item Numbers: 28, 29, 75, 90, 103 and 115.

2. Item Numbers 159 and 161-164 are rejected because the price is too high. These items are for uniform combinations and the corresponding items shall be purchased individually from the first contract awards.

3. The Term of Contracts shall be effective retroactive from April 23, 2021 through April 22, 2022. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The award of these contracts is subject to all the terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Office of Emergency Management
- f) Animal Shelter
- g) IT Department
- h) Action Uniform Co. LLC
1500 S. New Rd.
Pleasantville, NJ 08232
- i) Galls, LLC
1340 Russell Cave Rd.
Lexington, KY 40505

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contracts awarded to Action Uniform Co. LLC and Galls, LLC, for Uniforms and Specialty Items, for School Crossing Guards, Bicycle Police, Dispatchers, Booking Officers, Motorcycle Police, Community Service Officers (CSO'S), Town Hall Security and Animal Control Officers, for rebid items, are contingent upon funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 11, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT TO DOWN THE SHORE ICE CREAM, LLC, FOR THE LEASE OF THE TOWNSHIP OF TOMS RIVER VETERANS RECREATION COMPLEX CONCESSION, IN THE AMOUNT OF \$4,200.00 PER SEASON/\$12,600.00 OVER THREE (3) YEARS/SEASONS, PAYABLE TO THE TOWNSHIP OF TOMS RIVER

MAY 11, 2021

WHEREAS, bids were invited for the lease of the Township of Toms River Veterans Recreation Complex Concession; and

WHEREAS, one bid was received, as follows:

Down the Shore Ice Cream, LLC
16A Lafayette Dr.
Whiting, NJ 08759

FLAT LEASE FEE PER SEASON FOR EACH OF THE THREE (3) SEASONS BID PER THE SPECIFICATIONS:

Fee per season	\$	4,200.00
Three (3) Year Season Total	\$	12,600.00

WHEREAS, the Purchasing Division and Recreation Department reviewed the bid, and it is their recommendation to award the bid to Down the Shore Ice Cream, LLC, as the sole bidder, meeting all the bid specifications, as follows:

Fee Per Season: \$ 4,200.00
Three (3) Year Season Total: \$12,600.00

The First Season will be prorated to reflect a discount of \$820.00 for contract award beginning May 11, 2021. Seasons Two and Three will begin April 1st.

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:

May 11, 2021 22

1. It hereby awards a contract for the Lease of the Veterans Recreation Complex Concession to Down the Shore Ice Cream, LLC, as the sole bidder meeting all the bid specifications, for a lease amount of \$4,200.00 per season, for a three (3) year/season total of \$12,600.00, payable to the Township of Toms River.

2. The First Season will be prorated to reflect a discount of \$820.00 for contract award beginning May 11, 2021. Seasons Two and Three will begin April 1st.

3. The Term of Contract shall be effective from May 11, 2021 through October 31, 2023.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Director, Recreation Department
- e) Down the Shore Ice Cream, LLC
16A Lafayette Dr.
Whiting, NJ 08759

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF OPEN-
ENDED CONTRACTS FOR THE SUPPLY OF SPORTING GOODS FOR NEGOTIATED ITEM
NUMBERS 202-205, 212-218, 221 AND 223, TO HOWIES HOCKEY INC., WHO MEETS
ALL THE BID SPECIFICATIONS**

MAY 11, 2021

WHEREAS, the Division of Purchasing of the Township of Toms River has requested authorization to award open-ended contracts for the Supply of Sporting Goods for Negotiated Items; and

WHEREAS, bids were first invited on February 9, 2021, and awarded on March 9, 2021; and

WHEREAS, rebids were invited on March 30, 2021, and awarded on April 13, 2021; and

WHEREAS, Item Numbers 20, 29, 44, 49, 55, 80, 81, 84, 85, 91, 97-104, 106-108, 118, 120, 121, 130-132, 145, 148, 150, 151, 152, 155, 173, 174, 175, 184, 185, 192-223, and 229 received no bids on the second occasion; and

WHEREAS, Pursuant to NJSA 40A:11-5(3) negotiations were invited from various vendors for Item Numbers 20, 29, 44, 49, 55, 80, 81, 84, 85, 91, 97-104, 106-108, 118, 120, 121, 130-132, 145, 148, 150, 151, 152, 155, 173, 174, 175, 184, 185, 192-223, and 229. One vendor responded, Howies Hockey Inc., 3445 36th St. SE, Kentwood, MI, 49512. Items shall be awarded as follows:

Howies Hockey Inc. - Item Numbers: 202-204, 212-218, 221 and 223.

Quotes will be obtained prior to purchasing Item Numbers 20, 29, 44, 49, 55, 80, 81, 84, 85, 91, 97-104, 106-108, 118, 120, 121, 130-132, 145, 148, 150, 151, 152, 155, 173, 174, 175, 184, 185, 192-201, 205-211, 219, 220, and 229.

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

1. It hereby awards an open-ended contract for the Supply of Sporting Goods for Negotiated Item Numbers 202-205, 212-218, 221 and 223, to Howies Hockey Inc., who meets all the bid specifications.

2. Quotes will be obtained prior to purchasing Item Numbers 20, 29, 44, 49, 55, 80, 81, 84, 85, 91, 97-104, 106-108, 118, 120, 121, 130-132, 145, 148, 150, 151, 152, 155, 173, 174, 175, 184, 185, 192-201, 205-211, 219, 220, and 229.

3. The Term of Contract shall be effective retroactive from March 21, 2021 through March 20, 2023. 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.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Recreation Department
- e) Youth Center
- f) Senior Center
- g) Bey Lea
- h) Winding River
- i) Howies Hockey Inc.
3445 36th St. SE
Kentwood, MI 49512

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Howies Hockey Inc., for the Supply of Sporting Goods for Negotiated Items, are contingent upon funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate municipal budget.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected account at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 11, 2021

**RESOLUTION AUTHORIZING EXTENSION OF PLENARY RETAIL
CONSUMPTION LIQUOR LICENSE 1507-33-021-007 CB SILVERTON, LLC.,
TO GINGER GODDARD, TRUSTEE**

May 13, 2021

WHEREAS, an application has been filed for extension of Arcadia Group, Inc. Liquor License 1507-33-021-007, to Ginger Goddard, Trustee; and

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

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 submitted application seeks extension of License to Trustee to conclude the affairs of the bankruptcy case;
2. It hereby does authorize the extension of license of Plenary Retail Consumption Liquor License 1507-33-021-007 from CB Silverton, LLC. to Ginger Goddard, Trustee.
3. 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) Ginger Goddard, Trustee
224 West Gray Street #202
Norman Oklahoma, 73069
 - e) State of New Jersey
Division of Alcoholic Beverage Control
140 East Front Street
P.O. Box 087
5th Floor
Trenton, NJ 08625-0087

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FY 2021 LOCAL RECREATION IMPROVEMENT GRANT (LRIG) APPLICATION FUNDED BY THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS

MAY 11, 2021

WHEREAS, the New Jersey Department of Community Affairs is offering the Local Recreation Improvement Grant (LRIG); and

WHEREAS, The Local Recreation Improvement Grant is a competitive grant that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, and local stadiums; and

WHEREAS, ensuring public access to community facilities is imperative given the current strain on communities confronting the COVID-19 pandemic; and

WHEREAS, access to outdoor recreation and community resources is critical for mental and physical health, particularly for those residents with limited or no other access to quality outdoor space or private recreational opportunities. Assisting local units in achieving unmet recreational obligations addresses these equity considerations, meeting the needs of communities that have been placed under substantial stress due to the lack of quality recreational facilities and spaces; and

WHEREAS, Local Recreation Improvement Grant funds will be allocated to each grant recipient to help cover costs associated with updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and

May 11, 2021 25

recreational facilities, one-time personnel costs directly related to improvements; project development professional services costs, equipment costs including playground and recreation facilities equipment, and environmental remediation costs required to prepare recreation sites for use; and

WHEREAS, the Local Recreation Improvement Grant (LRIG) exists to: Fund improvements to recreational facilities; Provide quality outdoor recreational space to underserved communities, particularly in this time of heightened need, and assist local units in achieving unmet recreational obligations; and

WHEREAS, the Township of Toms River Township strives to save tax dollars, assure clean land, air, and water, improve working and living environments; and

WHEREAS, the Township of Toms River Township wishes to apply for funding through the NJDCA Local Recreation Improvement Grant; and

WHEREAS, the NJDCA Local Recreation Improvement Grant prioritizes unfunded projects and those that include a local match component; and

WHEREAS, the Township of Toms River is qualified to apply for this funding; and

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

1. The Township Council formally supports this NJDCA Local Recreation Improvement Grant application.

2. The Mayor and Clerk are hereby authorized to submit a grant application for the NJDCA Local Recreation Improvement Grant on behalf of the Township of Toms River.

3. The Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Toms River and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Engineering Department
- f) Township Planner
- g) Recreation Department
- h) James M. Rutala, PP, AICP, MBA
Rutala Associates, LLC
717 River Drive
Linwood, NJ 08221-1226

Art Anderson questioned the following Resolution.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO UTILIZE SOURCEWELL CONTRACT #060920-LON AWARDED TO THE LION ELECTRIC CO., FOR THE PURCHASE ONE (1) ELECTRIC REFUSE TRUCK THROUGH AUTHORIZED DEALER, HK TRUCK SERVICES, INC., FOR THE DEPARTMENT OF PUBLIC WORKS, IN

**THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$551,800.00, AND AUTHORIZING
THE MAYOR TO EXECUTE AND TOWNSHIP CLERK TO ATTEST TO THE 069G
VOLKSWAGEN MITIGATION GRANT AGREEMENT MANAGED BY THE NJDEP
EQUIPMENT MODERNIZATION PROGRAM**

**(PURCHASE TO BE PAID BY THE VOLKSWAGEN MITIGATION GRANT PROJECT
MANAGED BY THE NJDEP EQUIPMENT MODERNIZATION PROGRAM)**

MAY 11, 2021

WHEREAS, the Township of Toms River is a member of the Sourcewell National Cooperative Purchasing System, as authorized by N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, pursuant to bids received, Sourcewell Contract #060920-LON was awarded to The Lion Electric Co. with HK Truck Services, Inc. as an authorized dealer; and

WHEREAS, the Purchasing Division is requesting authorization to Purchase One (1) Electric Refuse Truck for the Department of Public Works, through authorized dealer, HK Truck Services, Inc., 2624-A Hamilton Blvd., South Plainfield, NJ, 07080, using Sourcewell Contract #060920-LON, in the total contract amount not to exceed \$551,800.00, as follows:

<u>Item Description</u>	<u>Quantity</u>	<u>Total</u>
Lion8 244"WB_ASL 252 KWH 130 Miles FA20k RA40k Automated Side Loader (ASL)	1	\$360,000.00
Sourcewell Discount		-\$30,000.00
Bumpers, Blue	1	standard
DC CCS-Combo Charging Port	1	standard
Air Brakes	1	standard
Additional Battery Packs - 252 kWh 130Miles	1	\$ 40,000.00
Additional Axles	1	\$ 8,000.00
Boivin - ASL Body	1	\$170,000.00
	Subtotal:	\$548,000.00
	Shipping:	\$ 3,800.00
	TOTAL:	\$551,800.00

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

1. It hereby authorizes the Purchase One (1) Electric Refuse Truck for the Department of Public Works, from authorized dealer, HK Truck Services, Inc., utilizing Sourcewell Contract #060920-LON, in the total contract amount not to exceed \$551,800.00. (Purchase to be paid by the Volkswagen Mitigation Grant Project Managed by the NJDEP Equipment Modernization Program.)

2. It hereby authorizes the Mayor to execute and the Township Clerk to attest to the 069G Volkswagen Mitigation Grant Agreement managed by the NJDEP Equipment Modernization Program.

3. Funds for this purchase in the amount of \$551,800.00, are available in Account No. X-99- -907-795. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) HK Truck Services, Inc.
2624-A Hamilton Blvd.
South Plainfield, NJ 07080

CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of One (1) Electric Refuse Truck from HK Truck Services Inc., in the total amount not to exceed \$551,800.00, are available in Account No. X-99- -907-795. Purchase to be paid by the Volkswagen Mitigation Grant Project managed by the NJDEP Equipment Modernization Program.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected accounts at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 11, 2021

Township Engineer Chankalian explained the following Resolution.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF FENCING AND INSTALLATION FOR A DUNE PROJECT, FROM ROSADO FENCING COMPANY, INC., D/B/A FOX FENCE ENTERPRISES, INC., UTILIZING ESCNJ COOPERATIVE CONTRACT #20/21-37, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$60,568.24

MAY 11, 2021

WHEREAS, the Township of Toms River is a member of the Educational Services Commission of New Jersey #20/21-37, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, pursuant to bids received, a contract was awarded to Rosado Fencing Company, Inc. d/b/a Fox Fence Enterprises, Inc., by the Educational Services Commission of New Jersey, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, the Purchasing Division is requesting authorization to purchase Fencing and Installation for a Dune Project, utilizing Educational Services Commission of New

Jersey, Contract #20/21-37, in the total contract amount not to exceed \$60,568.24, from the following vendor:

Rosado Fence Company, Inc. dba
 Fox Fence Enterprises, Inc.
 417 Crooks Avenue
 Clifton, NJ 07011
 ESCNJ 20/21-37

Furnish and Install Approximately 1300 LF Post & Rail	Price	Quantity	Total	Less 5% Discount on materials
Item 4851 - two-hole locust line post - split rail	\$20.65	132	\$2,725.80	\$2,589.51
Item 48512 - 10' sections rail	\$37.48	130	\$4,872.40	\$4,628.78
Labor for Split Rail	\$14.00	1300	\$18,200.00	\$18,200.00
Furnish and Install Approximately 5000 LF Snow/Sand Fence				
Wood Slat 3/8" thick, 1 1/2" wide 48" High				
Item 2240 Snow Fence	\$54.21	100	\$5,421.00	\$5,149.95
Labor for Snow Fence	\$6.00	5000	\$30,000.00	\$30,000.00
				\$60,568.24

WHEREAS, the ESCNJ contract pricing is \$12,237.00 less than the alternates on the Dune Project Bid, and the Dune Project will be reduced by a change order;

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

1. It hereby authorizes the purchase of Fencing and Installation for a Dune Project from Rosado Fence Company, Inc. d/b/a Fox Fence Enterprises, Inc., utilizing ESCNJ Contract #20/21-37, in the total contract amount not to exceed \$60,568.24, as stated above. ESCNJ contract pricing is \$12,237.00 less than the alternates on the Dune Project Bid. The Dune Project will be reduced by a change order.

2. Funds in the amount of \$60,568.24 are available in Account No. X-04- - 217-003. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Engineering Division
- e) Division of Parks, Buildings and Grounds
- f) Rosado Fence Company, Inc., d/b/a
 Fox Fence Enterprises, Inc.
 417 Crooks Avenue
 Clifton, NJ 07011

CERTIFICATION

THIS IS TO CERTIFY that the funds for the purchase of Fencing and Installation for a Dune Project from Rosado Fence Company, Inc. d/b/a Fox Fence Enterprises, Inc., utilizing ESCNJ Contract #20/21-37, in the total contract amount not to exceed \$60,568.24, are available in Account No. X-04- -217-003.

More specifically, the actual encumbrance of the funds will be based upon the approval of fully executed purchase orders by the Chief Financial Officer. Said purchase orders will encumber the funds for the affected accounts at that time.

ALEXANDER DAVIDSON
CHIEF FINANCIAL OFFICER

Dated: May 11, 2021

Township Planner Roberts explained the following Resolution.

Joan Strathorn, Ortley Beach Voters and taxpayers Association, commend Toms River and Mr. Roberts for work done on Streetscape projects.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING \$55,322.87 IN GRANT FUNDS FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATION ALTERNATIVES DESIGN ASSISTANCE GRANT FOR THE FINAL DESIGN (FD) PHASE TO ASSIST TO IMPLEMENT THE 2016 TRANSPORTATION ALTERNATIVES ORTLEY BEACH STREETScape GRANT

MAY 11, 2021

WHEREAS, the Township received a grant from the New Jersey Department of Transportation for the 2016 Transportation Alternatives Grant for the Ortley Beach Streetscape Grant Project; and

WHEREAS, the proposed streetscape improvements are anticipated to include pedestrian scale lighting, gateway enhancements, and recommendations for streetscape elements such as street furniture, etc. to enhance the experience within Ortley Beach and promote economic revitalization; and

WHEREAS, the Township sought additional funding from NJDOT for Design Assistance for implementation of the Transportation Alternatives Ortley Beach Streetscape Grant; and

WHEREAS, on July 23, 2019 Township Council amended budget revenues and appropriations to include the additional line item for the TAP Design Assistance Grant; and

WHEREAS, on April 20, 2021 the NJDOT authorized the Final Design Phase with a modification amount of \$55,322.87 to increase the present agreement total amount to \$154,401.38 for the TAP Design Assistance Grant program; and

WHEREAS, the scope of additional work for the funding includes Final (PE) Activities only; and

WHEREAS, Preliminary Engineering (PE) activities have been completed; and

WHEREAS, Toms River Township awarded NV5 \$188,348.32 to prepare preliminary design, final design and construction service assistance for the transportation alternatives design assistance grant on August 13, 2019 by way of resolution contingent on NJDOT contract with Toms River Township; and

WHEREAS, the grant language between NV5 and the Township was modified to address the Federal Highway Administration (FHWA) decision to phase the funds and only authorize spending of funds upon authorization to utilize each phase in accordance with agreement with NJDOT; and

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

1. It hereby authorizes the Mayor to execute a grant agreement modification, attached hereto as Schedule "A", with NJDOT for the Design Assistance Grant in an amount not to exceed \$55,322.87 for the TAP Design Assistance grant for Final Design (FD) only and a present agreement total amount of \$154,401.38, covering PE and FD, for the implementation of the Ortley Beach Streetscape Project. The agreement between Toms River Township and NJDOT will not become binding on either party until it is executed by the Commissioner of Transportation or the Commissioner's designee.

2. It hereby authorizes the receipt of funds by the Chief Financial Officer in account number X-99- -907-745. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. It hereby authorizes the Division of Planning & Zoning to manage the grant, including providing notice to proceed once funding agreement is executed with NJDOT.

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) Purchasing Division
- d) Chief Financial Officer
- e) Township Attorney
- f) David Roberts, Township Planner
- g) Robert Hudak, Township Assistant Planner
- h) NV5
- i) Julie Seaman
Department of Transportation
P.O. Box 600
Trenton, NJ 08625-0600
- j) Richard A. Nusser, PE
NJ Department of Transportation
1035 Parkway Avenue
PO Box 600
Trenton, NJ 08625-0600

SCHEDULE "A"

"See attachments"

REPORTS

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

	2021	2020
Bey Lea Golf Course – April	\$144,232.14	-\$903.82
Bey Lea Golf Course – YTD through April	\$318,166.87	\$75,594.59
Winding River Ice Rink – April	\$71,708.00	\$2,085.50
Winding River Ice Rink – YTD through April	\$301,397.39	\$283,947.50
Building Permits - April	\$368,245.00	\$93,363.00
Building Permits – YTD through April	\$1,093,243.00	\$892,271.00
Beach Badges – Week 2-6 (pre-season)	\$233,370.00	\$0.00
Pool Badges – Week 2-6 (pre-season)	\$1125.00	\$0.00

APPROVAL OF BILLS

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **April 22, 2021**, was approved on motion by Council Member Turnbach, seconded by Council Member Kopp, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and with Council President Geoghegan voting yes. The following respective exceptions to their votes were noted as abstentions to this vote.

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

Purchase Order 21-02405, payable to Silverton First Aid Squad in the amount of \$19,568.00.

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

Purchase Order 21-02108, payable to N.J. Motor Vehicle Commission in the amount of \$240.00.

Purchase Order 21-02241, payable to N.J. MVC Lease Program in the amount of \$3,612.00.

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

Purchase Order 20-00569 and 21-01960, payable to Remington & Vernick Engineers in the amount of \$9,341.22.

Purchase Order 21-01961, payable to Rutgers State University in the amount of \$275.00.

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

Purchase Order 21-01985, payable to Oceans Harbor House in the amount of \$5,000.00.

Purchase Order 21-02405, payable to Silverton First Aid Squad in the amount of \$19,568.00.

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

Purchase Order 21-02249, payable to Holman Frenia Allison in the amount of \$10,000.00.

Council Member Rodrick had none.

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

Purchase Order 21-02241, payable to Magistrate Salaries in the amount of \$6,937.41.

ELECTED OFFICIALS COMMENTS

Council Member Kopp spoke regarding Friday supporting TR Education Foundation Fundraiser downtown.

Council Member Rodrick commented that 'sometimes you have to vote for what is right not what is popular.'

Council Member Lotano spoke regarding marijuana; comments on grant money, and Marin winning an award on July 8th – Monmouth Ocean Council promoting tourism.

Council Member Huryk had no comments.

Council Member Turnbach commented on opposition to alleviating previous drug dealing penalties when it involved drug dealers employing children, Jackson lawsuit comments – applaud Attorney General's message that hatred won't drive government. Thanks to Recalibrate for excellent event May 1st – Congratulate Davies Adepoju came in 1st place. Downtown Night Out comments, and fundraiser with percentage going back to Toms River Education Association.

Council Member Maruca asked Township Engineer Chankalian for beach replenishment update. Township Engineer Chankalian said construction started May 11, 2021 and gave timeline. Cannabis Ordinance tabling comments. Committee should have both pro and con proponents on the cannabis committee; Recalibrate Event and congratulate to Roth family on their little girl, and National Law Enforcement Appreciation Week.

Council President Geoghegan spoke regarding Recalibrate comments; and National Law Enforcement Appreciation Week.

PUBLIC COMMENTS

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

Douglas Clayton support the cannabis ordinance. He also support RLUIPA reduction of acreage.

Richard Cirullo applauded Council for reconsidering Cannabis Ordinance and tabling it for investigation. He also has questions about RLUIPA.

Lisa Contessa, 829 Portobello Road, asked why Council Member Lotano abstained from bills; spoke regarding comments made about their seats on Board of Education.

Richard Cirullo spoke on board of education comments, and spoke on new zoning ordinances.

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

A motion was made by Council Member Huryk, seconded by Council Member Huryk, and carried to enter into a private Executive Session at 8:44 p.m.

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

RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, Public Law 1975, permits the exclusion of the public from a meeting in certain circumstances to discuss matters requiring confidentiality and/or of a privileged nature; and

WHEREAS, the Township Council is of the opinion that such circumstances presently exist;

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 Council will now conduct a private Executive Session.
2. The general nature of the subject matter to be discussed and/or acted upon is as follows:

Matters of Personnel
Attorney Client Privilege
Contract Negotiations

3. The following specific topics were announced.
 1. Executive Session Minutes: April 27, 2021 Regular Meeting
 2. Personnel Issues
 3. Potential Real Property Acquisitions
4. It is anticipated that deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

The foregoing resolution was approved on the following roll call vote:

Council Member Huryk	- Yes
Council Member Kopp	- Yes
Council Member Lotano	- Yes
Council Member Rodrick	- Yes
Council Member Turnbach	- Yes
Council Vice-President Geoghegan	- Yes
Council President Maruca	- Yes

The Council **reconvened** the public portion at 9:05 P.M., a motion was made by Council Member Huryk, seconded by Council Member Maruca, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and with Council President Geoghegan voting yes.

A motion was made by Council Member Huryk, seconded by Council Member Maruca, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and with Council President Geoghegan 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, THERFORE, 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:

April 27, 2021 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 9:05 P. M., on motion with Council Member Maruca, seconded by Council Member Kopp, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Rodrick, Turnbach, and Council President Geoghegan voting yes.

KEVIN GEOGHEGAN, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK