

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at 6:00 PM.

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

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

**OPEN PUBLIC MEETINGS ACT**  
**STATEMENT**

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Saturday, **January 8, 2022**, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Monday, **January 31, 2022**, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Monday, **January 3, 2022**. The meeting dates have also been posted on the Township web page.

Roll Call:

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

**APPROVAL OF MINUTES**

A motion was made by Council Member Kopp, seconded by Council Member Lotano, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, and Council President Geoghegan voting yes, and with Council Member Rodrick abstaining, to approve the Minutes of the **Regular Meeting of June 8, 2022**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof.

**HONORING RESOLUTIONS AND PRESENTATIONS**

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

Police Chief Little introduced the following police officers and spoke about both men's accomplishments and awards over their careers. Both men were presented with a clock for their retirement.

Robert Marion #2506 Community Service Office, OEM  
Thomas Herbst #307 Corporal Police Department

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

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

**ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,  
OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING §162-1A(1)  
AND (2) OF THE TOWNSHIP CODE TO PROVIDE FOR THE ISSUANCE OF ONE  
ADDITIONAL PLENARY RETAIL DISTRIBUTION AND 2 ADDITIONAL RETAIL  
CONSUMPTION LIQUOR LICENSES BASED ON 2020 CENSUS FIGURES AND TO  
ESTABLISH A FEE FOR THEATER LICENSES**

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.

Art Anderson, 12 Part Street, asked if this ordinance goes to bid?

Mike Mabie, 1922 Hooper, asked if there will be a minimum bid or price.

Attorney McGuckin explained this is just to add license to township code.

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

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

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

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

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

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

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

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

**AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LEASE AGREEMENT WITH SAVE BARNEGAT BAY, INC., A NOT-FOR-PROFIT CORPORATION, FOR PROPERTY DESIGNATED ON THE MUNICIPAL TAX MAP AS BLOCK 705, LOTS 1, 1.01 AND 1.02**

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.

Bridget Forsberg, Executive Director of Save Barnegat Bay, expressed thank you to Council for renewing lease and partnership with Toms River Schools.

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

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

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

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

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

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

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, OPPOSING THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION'S PROPOSED COASTAL REGULATIONS**

**JUNE 22, 2022**

**WHEREAS**, climate change and sea level rise are a documented threat to New Jersey and its barrier island communities, requiring a thoughtful and well-reasoned response from all levels of government; and

**WHEREAS**, Governor Murphy has, by Executive Order 100, directed the New Jersey department of Environmental Protection (NJDEP) to research and develop regulations to address the threats from climate change and sea level rise; and

**WHEREAS**, NJDEP is planning to adopt new regulations commonly known as the “PACT” regulations (“Protecting Against Climate Threats”) that will, if implemented, significantly devalue land and stymie construction throughout the County of Ocean; and

**WHEREAS**, the PACT Rules will require that new construction in flood zones be elevated five (5) feet above the base flood elevation for new construction; and

**WHEREAS**, elevating new and substantially improved homes an additional five feet will be prohibitively expensive for our residents and may not even be feasible on many sites; and

**WHEREAS**, historically, new rules issued by NJDEP have been promulgated pursuant to legislation; and

**WHEREAS**, in this case there is no legislation that has authorized the NJDEP to require more stringent requirements than the federal regulations that are now in place; and

**WHEREAS**, according to scientific studies commissioned by NJDEP, the prospective five-foot freeboard requirement is based on sea level rise projections for the year 2100, which have an occurrence probability of only 17%; and

**WHEREAS**, the science behind these 80-year projections is questionable, and there is little, if any, support for regulating development using sea level rise projections 80 years into the future; and

**WHEREAS**, municipalities are required by the Municipal Land Use Law to prepare Master Plans using a 20- or 30-year planning horizon, as a consequence of which the Township strongly urges the State to use the same standard; and

**WHEREAS**, there has been no public discussion whatsoever concerning the magnitude of the economic impact of these proposed regulations or how to assist residents who will be negatively impacted, despite the proposed regulatory re-alignment being expected to result in extensive and immediate economic impacts; and

**WHEREAS**, NJDEP must engage in a meaningful, holistic economic impact analysis, and not simply rely on a one-sided analysis of potential economic impacts from future, projected climate change related threats; and

**WHEREAS**, NJDEP is currently requiring municipalities to adopt a new model Flood Damage Protection Ordinance that appears to require that municipalities automatically impose the NJ PACT regulations prior to their adoption through the State rule making process; and

**WHEREAS**, the new model Flood Damage Protection Ordinance also requires that road and parking areas proposed in the flood hazard be constructed at least one foot above the Flood Hazard Area Design elevation, that flood permits be required for ordinary maintenance and minor work that does not require a building permit under the Uniform Construction Code, that seasonally occupied structures be built on a foundation even though no such requirement exists in the Uniform Construction Code, among other new regulations; and

**WHEREAS**, the Township Council finds that protecting special landforms and coastal waters is of the utmost importance to the health, safety, and welfare of the Township’s full time and summer residents;

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

1. The Township Council opposes the adoption of the PACT Regulations and the State’s proposed Flood Damage Protection Ordinance as currently presented.

2. The NJDEP's decision to use sea level rise projections with only a 17% confidence level should be subjected to scholarly peer review prior to commencing the rule making process.

3. The PACT Regulations should be based on a 20- or 30-year timeframe and adjusted over time to comport with current science and resiliency measures, rather than an unsubstantiated and hyper-speculative 80-year projection.

4. The NJDEP should seek counsel from an independent economist to consider the potential economic impacts prior to release of the NJ PACT proposals, so as to better understand the economic impact to coastal communities.

5. The NJDEP should follow the same practice as FEMA and provide detailed maps so that communities and residents can clearly understand how these regulations will impact specific properties.

6. The Legislature is strongly urged to exercise its legislative oversight authority to review and approve the PACT Regulations prior to adoption to ensure the fairness and the maximum public acceptance of those regulations.

7. The NJDEP must abandon all efforts to require the adoption of the current proposed local Flood Damage Protection Ordinance until such time as the NJ PACT regulations are approved by the State Legislature.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Certified Financial Officer
- e) Governor Phil Murphy
- f) 9<sup>th</sup> District Legislators
- g) 10<sup>th</sup> District Legislators
- h) Shawn M. La Tourette, Commissioner  
Department of Environmental Protection  
State of New Jersey  
401 East State Street, 7<sup>th</sup> Floor – East Wing  
Trenton, NJ 08625-402

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

**RESOLUTION AMENDING BUDGET REVENUES AND APPROPRIATIONS FOR  
FY2022 CLEAN COMMUNITIES GRANT IN THE AMOUNT  
OF \$227,480.38**

**JUNE 22, 2022**

WHEREAS, N. J. S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township has received a grant from the FY2022 Clean Communities Grant and wishes to amend its 2022 Budget to include a portion of this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, County of Ocean, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2022 Budget the sum of \$227,480.38 which is now available as revenue from:

Miscellaneous Revenues -

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services -Public and Private Revenues Offset with Appropriations:

FY2022 Clean Communities Grant..... \$227,480.38

pursuant to the provisions of the Statute;

BE IT FURTHER RESOLVED that a like sum of \$227,480.38 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

FY2022 Clean Communities Grant.....\$227,480.38

BE IT FURTHER RESOLVED that the Township Clerk forward copies of this resolution to the following:

- A) Division of Local Government Services (electronically sent)
- B) Chief Financial Officer
- C) Township Auditor
- E) Public Works Department

Approved as to Content:

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

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY SUPPORTING THE CHIEF OF POLICE’S RE-INSTATEMENT OF THE TEMPOARY CURFEW ON THE BARRIER ISLAND**

**June 22, 2022**

**WHEREAS**, during the 2020 and 2021 summer seasons, the Township implemented, by emergency order, a temporary curfew in the North Beach section of the barrier island, in response to the COVID-19 emergency and to control throngs of unruly juveniles congregating nightly, and committing acts of vandalism and criminal mischief; and

**WHEREAS**, the curfew was successful in mitigating the problems associated with uncontrolled gatherings of juveniles; and

**WHEREAS**, last year’s curfew expired on September 30, 2021; and

**WHEREAS**, the problems that originally precipitated the imposition of the curfew — including a recent spate of “pop up” parties in shore communities organized on social media — continue to persist; and

**WHEREAS**, residents of the barrier island communities have urged the Administration and Council to reinstate the curfew for the 2022 summer season; and

**WHEREAS**, on June 13, 2022, the Chief of Police, in his capacity as Emergency Management Coordinator, issued an emergency order, reinstating the curfew, which will apply during the hours of 11:00 pm through 5:00 am in both the North Beach and Ortley Beach sections of the barrier island:

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

1. The Township Council hereby declares it in the public interest to maintain a curfew on the barrier island during the 2022 summer season and supports the Sixth Amended Proclamation of Local Disaster Emergency issued by the Chief of Police to that effect.

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

- a. Mayor
- b. Business Administrator
- c. Township Attorney
- d. Chief of Police

#### **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 with Council President Geoghegan voting yes, to approve all the following items listed on the Consent Agenda except item **K and M**, which were done separately.

#### **R E S O L U T I O N**

*June 22, 2022*

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

**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/ QUARTER</i>	<i>AMOUNT</i>
CORELOGIC CENTRALIZED REFUNDS	1080.17	12	2022/2	\$951.27

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**

*June 22, 2022*

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:

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>QUAL/YEAR/ QUARTER</i>	<i>AMOUNT</i>
Wolf vespasiano llc, atty	711	2	2018/4	\$19,653.55
TOTAL:				\$19,653.55

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 394.54,**



**LOT 24 EFFECTIVE JANUARY 1, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**JUNE 22, 2022**

WHEREAS, the owner of real property in the Township of Toms River known as Block 394.54, Lot 24 located at 52 Dorchester Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2022 and

WHEREAS, property taxes for 2022, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. All 2022 real property taxes Block 394.54, Lot 24, due on or after, January 1, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 394.54, Lot 24, if any, shall be refunded on a pro-rated basis from January 1, 2022
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor
  - b) Business Administrator
  - c) Township Attorney
  - d) Chief Financial Officer
  - e) Township Assessor
  - f) Township Tax Collector

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 688, LOT 25 EFFECTIVE JANUARY 1, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

**JUNE 22, 2022**

WHEREAS, the owner of real property in the Township of Toms River known as Block 688, Lot 25 located at 672 Hill Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2022 and

WHEREAS, property taxes for 2022, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and

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

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

1. All 2022 real property Block 688, Lot 25, due on or after, January 1, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 688, Lot 25, if any, shall be refunded on a pro-rated basis from January 1, 2022
3. This exemption shall continue for future tax years provided that the owner of this real property continues to qualify for an exemption under N.J.S.A. 54:4-3.30A.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Mayor
  - b) Business Administrator
  - c) Township Attorney
  - d) Chief Financial Officer
  - e) Township Assessor
  - f) Township Tax Collector

**RESOLUTION AUTHORIZING THE RENEWAL  
OF LIQUOR LICENSES FOR 2022-2023**

**June 22, 2022**

WHEREAS, all of the present Liquor License holders listed below have made application for the renewal of their respective licenses and have paid the necessary fees for such renewals; and

WHEREAS, the submitted application form is complete in all respects; and

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

WHEREAS, the applicant has disclosed, and the issuing authority has ascertained and reviewed the source of any additional financing obtained in the previous license term 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. That Plenary Retail **Consumption** Liquor Licenses be and are hereby granted to the following applicants, all of whom are presently holders of such licenses, for the respective premises, to wit:

1507-33-001-009 (Pocket)  
37 Eats, LLC  
952 Lakewood Rd  
Toms River, NJ 08753

1507-33-003-010  
AR Seashore, LLC d/b/a Mellow Mushroom  
1111 Route 37 West  
Toms River, NJ 08755

1507-33-004-010 (Inactive)  
OTB Acquisition LLC  
d/b/a On The Border  
1201 Hooper Ave

Toms River, NJ 08753

1507-38-005-008  
JPPGR, Inc.  
T/A Artisan's  
1171 Hooper Ave  
Toms River, NJ 08753

1507-33-011-005  
Il Tramonto Inc. t/a Villa Amalfi Ristorante  
1006A Lakewood Rd  
Toms River, NJ 08753

1507-33-021-007 (Pocket)  
SCE Investors, LLC  
1861 Hooper Ave - Suite 8  
Toms River, NJ 08753

a) The following Plenary Retail Distribution Liquor Licenses are subject to a **2,000 foot proximity restriction**. Said Liquor Licenses cannot be located within 2,000 feet of another Plenary Retail Distribution (D) Liquor License as denoted by an asterisk, following the License Number.

1507-44-055-005 \*  
AJ Liquors LLC  
t/a Buy-Rite of Toms River  
1311 Rt. 37 West,  
Bldg. 1 Unit 10  
Toms River, NJ 08753

3. Each of the licenses referred to in the preceding paragraphs hereof shall be executed for and on behalf of this Municipality by Clerk of the Township of Toms River, with an effective date of **July 1, 2022**.
4. The Township Clerk shall forthwith report to the Division of Alcoholic Beverage Control of the State of New Jersey, and to the State Division of Taxation, the issuance of each said license as soon as such licenses are issued.
5. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Department of Police
  - b) Chief Financial Officer
  - c) Municipal Attorney
  - d) State of New Jersey  
Division of Alcoholic Beverage Control  
140 East Front Street, Fifth Floor  
CN 087  
Trenton, N.J. 08625-0087
  - e) Licensees, as listed above
  - f) NJ Division of Taxation  
ATTN: ABC Licensing Unit  
PO Box 245  
Trenton, NJ 08695

**RESOLUTION AUTHORIZING THE RENEWAL  
OF CLUB LIQUOR LICENSES FOR 2022-2023**

**June 22, 2022**

WHEREAS, all of the present Liquor License holders listed below have made application for the renewal of their respective licenses and have paid the necessary fees for such renewals; and

WHEREAS, the submitted application form is complete in all respects; and

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

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

WHEREAS, the submitted application is complete in all respects, including submission of the club member list; and

WHEREAS, the officers and directors of the club are qualified according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the club maintains all records required by N.J.A.C. 13:2-8.8 (special events open to non-club members) and N.J.A.C. 13:2-8.12 (true books of account for receipts and disbursements);

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

1. That Club Liquor Licenses be and are hereby granted to the following applicants all of whom are presently holders of such licenses, for the presently respective licensed premises to wit:

1507-31-28-001  
Knights of Columbus  
Columbus Club of Toms River  
113 Tennyson Ave  
PO Box 78  
Island Heights, NJ 08732

1507-31-029-001  
Toms River Elks  
600 Washington Street  
Toms River, NJ 08753

1507-31-030-001  
Gilford Park Yacht Club  
700 Riverside Drive  
Toms River, NJ 087853

2. The licenses referred to in the preceding paragraph hereof shall be executed for and on behalf of this Municipality by the Clerk of the Township, with an effective date of **July 1, 2022.**
3. The Township Clerk shall forthwith report to the Division of Alcoholic Beverage Control of the State of New Jersey, and to the State Division of Taxation, the issuance of each said license as soon as such licenses are issued.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
  - a) Department of Police

- b) Chief Financial Officer
- c) Municipal Attorney
- d) Licensees, as listed above
- e) State of New Jersey  
Division of Alcoholic Beverage Control  
140 East Front Street  
CN 087  
Trenton, N.J. 08625-0087
- f) State Division of Taxation  
ATTN: ABC Licensing Unit  
PO Box 245  
Trenton, NJ 08695

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING TO AMEND THE CONTRACT WITH FOLCHER ASSOCIATES GROUP FOR THE DEMOLITION OF VARIOUS STRUCTURES AT CAMP ALBACONDO, IN THE ORIGINAL CONTRACT AMOUNT OF \$117,723.00, AND APPROVE CHANGE ORDER NO. 1 DUE TO REMOVAL OF UNUSED CONSTRUCTION ALLOWANCE IN THE AMOUNT OF \$20,000.00, FOR A NEW TOTAL PROJECT AMOUNT NOT TO EXCEED \$97,723.00**

**JUNE 22, 2022**

**WHEREAS**, resolution of the Township Council dated March 23, 2021 authorized an award of contract to Folcher Associates Group for the demolition of various structures at Camp Albacondo, in the total contract amount not to exceed \$117,723.00; and

**WHEREAS**, the Division of Engineering requests to amend the contract with Folcher Associates Group due to Change Order No. 1 – the removal of unused construction allowance in the amount of \$20,000.00, resulting in a new total contract amount not to exceed \$97,723.00; 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. Change Order No. 1 – the removal of unused construction allowance in the amount of \$20,000.00, to wit:

**DESCRIPTION OF CHANGE:**

Removal of unused construction allowance

**NET REDUCTION: \$20,000.00**

	<b><u>ADDITIONAL</u></b>	<b><u>REDUCTION</u></b>
Total Reduction This C.O.	X	(\$20,000.00)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$20,000.00)
Previous Change Orders	X	X
Total Change Orders to Date	X	X
Net Change in Contract	X	(\$20,000.00)
ORIGINAL CONTRACT BID PRICE		\$117,723.00
NEW CONTRACT PRICE		\$ 97,723.00

be and the same is hereby ratified and confirmed.

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

- a) Certified Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) Folcher Associates Group  
146 Blackwood Barnsboro Road  
Sewell, NJ 08080

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING TO UTILIZE NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA) CONTRACT #01-97 TO ENTER INTO A CONTRACT FOR AVAYA CLOUD OFFICE FROM RINGCENTRAL, INC. THROUGH ITS AGENT, AVAYA, INC., AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT AGREEMENT BETWEEN AVAYA, INC. AND THE TOWNSHIP OF TOMS RIVER**

**JUNE 22, 2022**

**WHEREAS**, the Township of Toms River registered for the National Cooperative Purchasing Alliance (NCPA) on May 10, 2022; and

**WHEREAS**, pursuant to bids received, a contract was awarded to RingCentral, Inc. through its agent, Avaya, Inc., by the National Cooperative Purchasing Alliance (NCPA), of which Toms River Township is an active participant, in accordance with N.J.S.A. 52:34-6.2(b)(3); and

**WHEREAS**, the Purchasing Division is requesting authorization to award a contract to RingCentral, Inc. through its agent, Avaya, Inc., 20 Davis Drive, Belmont, CA, 94002, pursuant to the sealed bid submitted in response to the NCPA request for bids, utilizing NCPA Cooperative Contract #01-97. The initial term of the RingCentral, Inc. contract is 60 months from the date of installation/completion. The total cost for this purchase is \$5,398.48 per month, as follows:

Service	Charge Term	Quantity	Rate	Total
Additional Local Number	Monthly	1	\$0.99	\$0.99
Additional Toll-Free Number	Monthly	1	\$0.99	\$0.99
Compliance & Administrative Cost Recovery Fee	Monthly	329	\$3.50	\$1,151.50
e911 Service Fee	Monthly	329	\$1.00	\$329.00
DigitalLine Unlimited Standard	Monthly	321	\$12.00	\$3,852.00
DigitalLine Basic	Monthly	8	\$8.00	\$64.00
Avaya Cloud Office for Desktop	One Time	321	\$0.00	\$0.00
				\$5,398.48

**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 Avaya Cloud Office by RingCentral, Inc. through its agent, Avaya, Inc., utilizing NCPA Cooperative Contract #01-97. This contract is for a term of 60 months from the date of installation/completion. The total cost for this purchase is \$5,398.48 per month, as stated above.

2. The Mayor is authorized to execute an agreement between RingCentral, Inc. through its agent, Avaya, Inc., and Toms River Township. A copy of the Agreement shall be attached to this Resolution as Schedule "A", and made a part hereof.

3. The total cost for this purchase is \$5,398.48 per month, 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.

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) IT Department
- e) RingCentral, Inc.  
20 Davis Drive  
Belmont, CA 94002

**SCHEDULE "A" - SEE ATTACHMENTS**

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO AN AGREEMENT WITH RUBBERCYCLE CORP. FOR THE REMOVAL AND RECYCLING OF TIRES FOR THE RECYCLING CONVENIENCE CENTER, IN THE AMOUNT OF \$200/TON, NOT TO EXCEED \$5,000.00**

**JUNE 22, 2022**

**WHEREAS**, the Township of Toms River is in need of removal and recycling of tires for the Recycling Convenience Center; and

**WHEREAS**, certain recycling laws have been put into effect within the State of New Jersey for the disposal of rubber products; and

**WHEREAS**, the Recycling Convenience Center has recommended that the following vendor be awarded a contract, as follows:

Rubbercycle Corp.  
1985 Rutgers University Blvd., STE 4  
Lakewood, NJ 08701

**WHEREAS**, Rubbercycle Corp. has the necessary means for the removal and recycling of tires for the Recycling Convenience Center;

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to an agreement with Rubbercycle Corp. for the removal and recycling of tires for the Recycling Convenience Center.

2. Terms:

a) The Township of Toms River shall pay Rubbercycle Corp. \$200/ton, which includes transportation. The amount of the contract shall not exceed \$5,000.00. Funds are available in Account No. X-99- -907-823, contingent upon the 2022 Municipal Budget. The certification of funds available statement with respect to

this resolution is on file in the Office of the Township Clerk. Term of contract: July 1, 2022 through December 31, 2022.

3. This contract may be terminated, by either party, upon thirty (30) days written notice, by certified mail, to the other.

4. This contract is awarded without competitive bidding as a "recycling service" in accordance with N.J.S.A. 40A:11-5 (1)(s) of the Local Public Contracts Law of New Jersey.

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 Attorney
- c) Public Works Department
- d) Nadeem Siddiqui, Public Works Dept.
- e) Certified Financial Officer
- f) Purchasing Division
- g) Rubbercycle Corp.  
1985 Rutgers University Blvd., STE 4  
Lakewood, NJ 08701

### **CERTIFICATION**

**THIS IS TO CERTIFY** that the funds for the contract with Rubbercycle Corp. for the removal and recycling of tires for the Recycling Convenience Center, in the amount of \$200/Ton, which includes transportation, for a total maximum amount not to exceed \$5,000.00, are available in Account No. X-99- -907-823, contingent upon the 2022 Municipal Budget.

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

JUDITH TUTELA  
CERTIFIED FINANCIAL OFFICER

Dated: June 22, 2022

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF OPEN-ENDED CONTRACTS FOR THE SUPPLY OF SOD FOR VARIOUS TOWNSHIP LOCATIONS, REBID AND NEGOTIATED ITEMS, TO COOMBS SOD FARMS LLC AND EAST COAST SOD, WHO MEET ALL THE BID SPECIFICATIONS**

**JUNE 22, 2022**

**WHEREAS**, bids were received on May 3, 2022 for the Supply of Sod for Various Township Locations; and

**WHEREAS**, all bids were rejected for being non-responsive; and

**WHEREAS**, rebid was invited on May 26, 2022 and bids were received from the following vendors:



SiteOne Landscape  
1385 East 36<sup>th</sup> Street  
Cleveland, OH 44114

Coombs Sod Farms LLC  
84 Route 77  
Elmer, NJ 08318

**WHEREAS**, rebid items shall be awarded as follows:

**Coombs Sod Farms LLC** for Item Nos: 1 through 4.

**SiteOne Landscape** and **Coombs Sod Farms LLC** both took exceptions to the bid specifications on Items 5-8 resulting in both vendors being rejected for those items. Items 9-12 received no bids.

Based on NJSA 40A:11-5(3)(1) prices for Items 9-12 were negotiated with various vendors. East Coast Sod and Seed, 596 Pointers Auburn Road, Pilesgrove, NJ, 08098, responded to negotiations. Negotiated Items shall be awarded as follows:

**East Coast Sod and Seed** for Item Nos. 5-12.

**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 open-ended rebid contracts for the Supply of Sod for Various Township Locations, as follows:

2.

**Coombs Sod Farms LLC** for Item Nos: 1 through 4.

**SiteOne Landscape** and **Coombs Sod Farms LLC** both took exceptions to the bid specifications on Items 5-8 resulting in both vendors being rejected for those items.

2. Items 9-12 received no bids.

3. Based on NJSA 40A:11-5(3)(1) prices for Items 9-12 were negotiated with various vendors. East Coast Sod and Seed, 596 Pointers Auburn Road, Pilesgrove, NJ, 08098, responded to negotiations. Negotiated Items shall be awarded as follows:

**East Coast Sod and Seed** for Item Nos. 5-12.

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. Pursuant to N.J.S.A. 40A:11-15, these contracts may be extended for up to two (2) additional one year terms after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the vendor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

5. Term of contracts shall be effective from June 22, 2022 through June 21, 2022. The award of these contracts is subject to all the terms and conditions of the bid specifications.

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Bey Lea Golf Course
- e) Recreation
- f) Division of Parks, Buildings & Grounds
- g) All aforementioned bidders

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP  
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FIRST  
ONE (1) YEAR OPEN-ENDED CONTRACT EXTENSION FOR THE SUPPLY OF  
PETERBILT REPAIR PARTS TO HUNTER JERSEY PETERBILT, WHO HAD THE  
HIGHEST PERCENTAGE DISCOUNT (25%) OFF THE CURRENT PETERBILT  
REPAIR PARTS PRICE LIST, FOR THE DEPARTMENT OF PUBLIC WORKS,  
COMMENCING JUNE 24, 2022 THROUGH JUNE 23, 2023**

**JUNE 22, 2022**

WHEREAS, resolution of the Township Council dated July 14, 2020 authorized the award of an open-ended contract for the Supply of Peterbilt Repair Parts to Hunter Jersey Peterbilt, who had the highest percentage discount (25%) off the current Peterbilt Repair Parts Price List, for the Department of Public Works, commencing June 24, 2020 through June 23, 2022; and

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

WHEREAS, the Department of Purchasing and the Department of Public Works has determined it is in the best interest of the Township of Toms River to authorize the first one (1) year contract extension term, commencing June 24, 2022 through June 23, 2023; and

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

1. It hereby authorizes the first one (1) year open-ended contract extension term with Hunter Jersey Peterbilt for the Supply of Peterbilt Repair Parts, who has the highest percentage discount (25%) off the current Peterbilt Repairs Parts price list, for the Department of Public Works, effective June 24, 2022 through June 23, 2023. The extension of this contract with Hunter Jersey Peterbilt shall be subject to all the terms and conditions of the original contract award.

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.

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

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS  
RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT  
FOR ONE (1) USED HORTON AMBULANCE BODY AND ONE (1) USED 2019 FORD  
E-450 DRW CUT-AWAY 158" CHASSIS, GAS – REMOUNT COMPLETED, FOR THE  
OFFICE OF EMERGENCY MANAGEMENT, TO VCI EMERGENCY MEDICAL**

**SPECIALISTS LLC, AS THE SOLE BIDDER MEETING ALL BID SPECIFICATIONS,  
FOR A TOTAL CONTRACT PRICE NOT TO EXCEED \$100,750.00**

**JUNE 22, 2022**

**WHEREAS**, bids were invited for One (1) Used Horton Ambulance Body and One (1) Used 2019 Ford E-450 DRW Cut-Away 158" Chassis, Gas – Remount Completed, for the Office of Emergency Management; and

**WHEREAS**, one bid was received on June 9, 2022, as follows:

VCI Emergency Medical  
Specialists, LLC  
43 Jefferson Ave  
Berlin, NJ 08009

**PRICE FOR ONE**

<b>ONE (1) USED HORTON AMBULANCE BODY AND ONE (1) USED 2019 FORD E-450 DRW CUT-AWAY 158" CHASSIS GAS - REMOUNT COMPLETED</b>	<u>\$100,750.00</u>
MAKE CAB / CHASSIS BID:	<u>Ford</u>
MODEL BID:	<u>E-450</u>
YEAR BID:	<u>2019</u>
DELIVERY DATE:	<u>15 days from receipt of signed contract</u>
SERVICE FACILITY LOCATION:	<u>Berlin, NJ 08009</u>

**WHEREAS**, the bid has been reviewed by the Purchasing Division, and recommendation has been made to award a contract to VCI Emergency Medical Specialists, LLC, for a total contract price not to exceed \$100,750.00;

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

1. It hereby awards a contract for One (1) Used Horton Ambulance Body and One (1) Used 2019 Ford E-450 DRW Cut-Away 158" Chassis, Gas – Remount Completed, for the Office of Emergency Management, to VCI Emergency Medical Specialists, LLC, as the sole bidder meeting all the bid specifications, for a total contract price not to exceed \$100,750.00.

2. Funds in the amount of \$100,750.00 are available in Account No. X-99- -907-806. The award of this contract is subject to all the terms and conditions of the bid specifications. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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) Office of Emergency Management
- f) VCI Emergency Medical Specialists, LLC  
43 Jefferson Avenue  
Berlin, NJ 08009

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SUBDIVISION, PREVIOUSLY KNOWN AS POCHINSKI, LLC., BLOCK 1090.01, LOT 30 THROUGH 33 (Route 35 & North Bayside Road)**

**June 22, 2022**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision previously known as Pochinski, LLC, Block 1090.01, Lot 30-33.

WHEREAS, documentation from the State of New Jersey Department of Treasury has indicated the dissolution of Pochinski, LLC, on December 31, 2020, in which funds are hereby released to John Pochinski JR., a formerly named member and son of Mr. John Pochinski Sr.

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

- 1) Maintenance Cash Bond in the amount of \$10,900.00 currently on deposit in account # 2-14- -902-101 is hereby released with applicable interest;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. John Pochinski Jr.  
1911 Mizzen Road  
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 794.36, LOT 6 AND 8 (Waldron Road)**

**June 22, 2022**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision Plan known as Block 794.36, Lot 6 & 8.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$5,500.00 which represents the performance guarantee amount.
- 2) Check in the amount of \$250.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.

June 22, 2022 20

- 2) Said bond approval is conditioned upon compliance by Michael Faccone., 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. Michael Faccone  
115 Waldron Road  
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS BLOCK 1097.54, LOT 59 AND 60 (Eisenhower Avenue)**

**June 22, 2022**

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 1097.54, Lot 59 & 60.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$6,500.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$500.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Katherine E Barnett Estate, 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.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Katherine E Barnett Estate  
53 Castle Way  
Basking Ridge, NJ 07920

Art Anderson questioned the following resolution.

Council President Geoghegan responded to the following resolution.

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

**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 28-60 COLFAX STREET COMPLEX, FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS, PURSUANT TO THE MUNICIPAL SERVICES ACT, N.J.S.A. 40:67-23.1 to -23.8**

**JUNE 22, 2022**

**WHEREAS**, the 28-60 Colfax Street complex is a qualified private community under the Municipal Services Act (“MSA”), N.J.S.A. 40:67-23.1 to -23.8; and

**WHEREAS**, under the MSA, the Township must either directly provide solid waste collection to qualified private communities or reimburse private communities for the expense of that service at a rate equal to the Township’s actual cost of providing solid waste collection to the general public; and

**WHEREAS**, the Township has determined that it is more efficient and cost-effective to directly provide solid waste collection to the Colfax Street complex, rather than reimburse the costs of those services; and

**WHEREAS**, 28-60 Colfax Street complex has requested and consents to a Township-provided Solid Waste Collection Agreement:

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

1. The Mayor is hereby authorized to execute and the Deputy Township Clerk to attest to the Solid Waste Collection Agreement, attached as Schedule “A” to this resolution, between the Township and the 28-60 Colfax Street complex for the collection of solid waste and recyclable materials.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Certified Financial Officer
- d) Anthony Benyola, Acting Director of Public Works
- e) Township Attorney
- f) Mr. Eli Schwab  
147 Liberty Drive  
Lakewood, NJ 08701

**SCHEDULE “A” - see attachments**

Art Anderson questioned why reduced performance guarantees.

Council President responded to the following resolution.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING REDUCED PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS COX CRO CROSSING – PHASE 1, BLOCK 166, LOT 6,7 AND 8 (Cox Cro Road & Lakewood Road)**

June 22, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Cox Cro Crossing – Phase 1, Block 166, Lot 6, 7 & 8.

WHEREAS, Reduced Performance Bonds have been posted as follows:

- 1) Surety Rider #76183595 in the amount of \$102,352.95, which represents a portion of the performance guarantee amount.
- 2) Cash Bond in the amount of \$11,372.55 to remain on account to represent a portion of the performance guarantee amount.

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

- 1) Cash Bond in the amount of \$26,535.95 to be released from account # 2-14- -902-101.
- 2) The bonds set forth in the preamble hereto are hereby approved.

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

- a. Township Engineer
- b... Chief Financial Officer
- c. Township Attorney
- d. Cox Cro Crossing  
2101 Route 34 South, Suite A  
Wall, NJ 07719

**REPORTS - NONE**

**APPROVAL OF BILLS**

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **June 16,, 2022**, was approved on motion by Council Member Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi,, Kopp, Lamb, Lotano,, Quinlisk, Rodrick, and with Council President Geoghegan voting yes. . **The following respective exceptions to their votes were noted as abstentions to this vote:**

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

Purchase Order 22-01229, payable to Board of Fire Commissioners District two in the amount of \$744,349.90.

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

Purchase Order 22-03401 & 22-03402, payable to Holman Frenia Allison in the amount of \$14,000.00.

Council Member Ciccozzi - None

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

Purchase Order 22-01229, payable to Board of Fire Commissioners District two in the amount of \$744,349.90..

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

Purchase Order 22-01074, payable to Borough of Lavallette in the amount of \$2,277.15.

Purchase Order 22-00144, 22-00151, & 22-01633, payable to Citta, Holzapfel, Zabarsky in the amount of \$10,181.50.

Purchase Order 22-03489, payable to Dasti McGuckin Attorneys at Law in the amount of \$14,531.00.

Purchase Order 22-01229, payable to Magistrate Salaries in the amount of \$6,937.41.

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

Purchase Order 22-01229, payable to Board of Fire Commissioners District two In the amount of \$744,349.90.

Council Member Rodrick- None

## **ELECTED OFFICIALS COMMENTS**

Council Member Lamb wished residents a safe and happy summer. He also thanked companies for response to fire in East Dover.

Council Member Quinlisk wished every a good summer.

Council Member Rodrick congratulated all the students graduating from Toms River.

Council Member Lotano happy about partnership with schools and save Barnegat Bay; wished everyone a safe and happy fourth of July; reminded residents regarding sign removal after political races; and praised the Mayor for looking for alternative funding for beach replenishment.

Council Member Kopp had no comments.

Council Member Ciccozzi congratulated the two police officer for their retirement.

Council President Geoghegan wished everyone a safe and a happy summer.

Mayor Hill spoke regarding beach replenishment funding; lightning warning system in Ortlely Beach; Open Space and Save Barnegat Bay Partnership; demolition of structures at Camp Albocondo, and congratulations to all the students graduating in Toms River.

## **PUBLIC COMMENTS**

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

Dana Tormellen, 105 Messenger Street, spoke regarding beach issues and separation of beach and mainland residents.



Art Anderson, 12 Park Street, asked about a bill for Huddy Park sign damage.

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

No other business appearing, the meeting was **adjourned** at 6:48 P. M., on motion with Council Member Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi,, Kopp, Lamb, Lotano, Quinlisk, Rodrick, and Council President Geoghegan voting yes.

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KEVIN GEOGHEGAN, COUNCIL PRESIDENT

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MICHAEL CRUOGLIO, DEPUTY CLERK