

July 13, 2022

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at 6:00 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, Rodrick,, and with Council President Geoghegan voting yes, to approve the Minutes of the **Regular Meeting of June 22, 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.

Mayor Hill introduced Bettyjean Pace and presented her with a proclamation.

Township of Toms River Proclamation

WHEREAS, Since 1971, the *Ms. New Jersey Senior America* pageant has provided a platform to empower and encourage women, 60 and older, who best exemplify the dignity, maturity and inner beauty of all Senior Americans; and

WHEREAS, Ten contestants competed in the 2022 *Ms. New Jersey Senior America* pageant at Harrah’s Resort Hotel & Casino in Atlantic City; and

WHEREAS, On June 2, 2022, *Bettyjean Pace*, a longtime resident of Toms River, New Jersey, was crowned *Ms. New Jersey Senior America*; and

WHEREAS, As Queen, Bettyjean will travel around New Jersey promoting the positive aspects of aging; and

WHEREAS, She also becomes the featured performer in NJ Cameo Club Showcases that entertain at 55 and over communities, veterans’ hospitals, assisted living facilities and nursing homes; and

WHEREAS, *Bettyjean Pace* will represent New Jersey at the *Ms. Senior America* pageant this fall in Pennsylvania; and

NOW, THEREFORE, BE IT RESOLVED, that I, Mayor Maurice B. Hill and the Township Council do hereby congratulate *Bettyjean Pace* on her accomplishment in winning the 2022 *Ms. New Jersey Senior America* competition and wish her the best of luck in the Ms. Senior America national pageant.

Mayor Maurice B. Hill, Jr.

Kevin M. Geoghegan
Council President

David Ciccozzi

Joshua D. Kopp

Justin D. Lamb

Matthew W. Lotano

Daniel T. Rodrick

Jim Quinlisk

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING SECTION 8.20, SUBSECTIONS “I” AND “O” OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE TOWNSHIP CODE REGULATING PARKING FOR PLACES OF ASSEMBLY AND OFF-TRACT PARKING FOR NONRESIDENTIAL USES, AND AMENDING SECTION 8.26, SUBSECTION “G” OF THE TOWNSHIP CODE REGULATING GROUND SIGNS

BE TABLED until after Executive Session.

A motion was made by Council Member Lamb, seconded by Council Member Rodrick, and carried that the foregoing Ordinance was **approved** 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

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, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ADOPTING A CORRECTIVE ACTION PLAN IN ACCORDANCE WITH THE REVIEW OF SICK AND VACATION LEAVE POLICIES IN NEW JERSEY MUNICIPALITIES ISSUED BY THE OFFICE OF THE STATE COMPTROLLER

July 13, 2022

WHEREAS, on July 7, 2022, the Office of the State Comptroller (“OSC”) issued a report entitled “A Review of Sick and Vacation Leave Policies in New Jersey Municipalities”; and

WHEREAS, that report surveyed 60 New Jersey municipalities, finding deficiencies in 57 of the 60 municipalities, and directed those municipalities to adopt a corrective action plan on or before September 30, 2022; and

WHEREAS, Toms River was one of the municipalities surveyed; and

WHEREAS, the report made no finding that Toms River made any payments for accumulated, unused sick leave contrary to state law, but did identify certain minor, technical deficiencies in the terminology of the Township’s contractual and policy provisions related to sick leave incentives; and

WHEREAS, in accordance with the report’s directive, the Township has prepared a corrective action plan, attached as Schedule A hereto, to address these issues for submission to the OSC; and

WHEREAS, this corrective action plan is required to be approved by the Township Council:

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

1. The corrective action plan attached as Schedule A hereto is hereby approved and authorized for submission to the OSC.

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 Financial Officer

SCHEDULE “A” - see attachments

CONSENT AGENDA

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

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A
100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 724.02, LOT 302
EFFECTIVE June 1, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF
THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

JULY 13, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 724.02, Lot 302 located at 17 Cove Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective June 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 724.02, Lot 302, due on or after, June 1, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 724.02, Lot 302, if any, shall be refunded on a pro-rated basis from June 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 510.03, LOT 3
EFFECTIVE JANUARY 1, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022,
AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

JULY 13, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 510.03, Lot 3 located at 8 Oakside 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 Block 510.03, Lot 3, due on or after, January 1, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 510.03, Lot 3, 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 411.21, LOT 25 EFFECTIVE JANUARY 1, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

JULY 13, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 411.21, Lot 25 located at 1191 Echo Place, 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 411.21, 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 411.21, 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 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 722, LOT 164 EFFECTIVE MARCH 28, 2022 AND PROVIDING THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

JULY 13, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 722, Lot 164 located at 314 Tennyson Ave, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective March 28, 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 722, Lot 164, due on or after, March 28, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 722, Lot 164, if any, shall be refunded on a pro-rated basis from March 28, 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

July 13, 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:

1507-33-014-006 (Pocket)
Ocean Ventures Liquor I, LLC
10 Grand Central 155 E. 44th St
New York, NY 10017-4146

2. Each license referred to in the preceding paragraph 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**.
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) 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 CORRECTING LEGAL ENTITY
FOR SAID LIQUOR LICENSE
RENEWALS FOR 2022-2023**

July 13, 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:

1507-33-053-004
Krish Foods LLC
270 State Highway 37 East
Toms River, NJ 08753
2. The above license 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**.
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) 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 OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF
ICE SKATES FOR WINDING RIVER FROM HOWIES HOCKEY, INC., HOWARD MAX
SIEPLINGA, IN THE TOTAL AMOUNT NOT TO EXCEED \$43,658.60**

JULY 13, 2022

WHEREAS, the Division of Purchasing has requested the Township to authorize the Purchase of Ice Skates for Winding River, from Howie's Hockey, Inc., Howard Max Sieplinga, 3445 36th SE, Kentwood, MI, 49512; and

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

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

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

1. It hereby authorizes the Purchase of Ice Skates for Winding River from Howies Hockey, Inc., Howard Max Sieplinga, in the total contract amount not to exceed \$43,658.60.

2. Funds for this purchase in the total amount not to exceed \$43,658.60 are available in Account No. X-04- -253-207. 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) Department of Recreation
- e) Howie's Hockey, Inc.
Howard Max Sieplinga
3445 36th St. SE
Kentwood, MI 49512

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO
VULCAN CONSTRUCTION GROUP, INC., AS THE LOWEST RESPONSIVE,
RESPONSIBLE BIDDER MEETING ALL OF THE BID SPECIFICATIONS, FOR A DOG
PARK AT SILVERTON, IN THE TOTAL CONTRACT PRICE NOT TO EXCEED
\$240,235.00**

JULY 13, 2022

WHEREAS, bids were invited for a Dog Park at Silverton; and

WHEREAS, bids were received on June 14, 2022, as follows:

<u>Vendor</u>	<u>Total Bid Price</u>	<u>Vendor</u>	<u>Total Bid Price</u>
Vulcan Construction Inc 3 Hance Dr Cookstown, NJ 08511	\$240,235.00	D'Avellino Construction Inc 62 Count St, Suite 2 Freehold, NJ 07728	\$461,028.00
TC Landscape Construction Group Inc 156 Grand Central Parkway Bayville, NJ 08721	\$257,682.00	Sidd & Associates LLC 500 Rt 33 West, Suite LLA Millstone, NJ 08535	\$523,973.00
Down to Earth Landscaping Inc 705 Wright Debow Rd Jackson, NJ 08527	\$388,365.00	Cypreco Industries Inc PO Box 822, 1420 9th Ave Neptune, NJ 07753	\$641,470.00

WHEREAS, the bids were reviewed by the Purchasing Division and they recommend that the award of a contract for the Dog Park at Silverton be made to Vulcan Construction Group, Inc., 3 Hance Drive, Cookstown, NJ, 08511, as the lowest responsive, responsible bidder meeting all of the bid specifications, at a total contract price not to exceed \$240,235.00;

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 the Dog Park at Silverton to Vulcan Construction Group, Inc., as the lowest responsive, responsible bidder meeting all the bid specifications, for a total contract price not to exceed \$240,235.00. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. Funds in the amount of \$240,235.00 are available in the following accounts:

Account No. X-04- -253-208	\$200,000.00
Account No. X-04- -253-298	<u>\$ 40,235.00</u>
	\$240,235.00

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Engineering
- e) Vulcan Construction Group, Inc.
3 Hance Drive
Cookstown, NJ 08511

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FINAL CLOSE OUT CHANGE ORDER NO. 1 (NET REDUCTION \$33,750.00), FOR FINAL ADJUSTMENT IN FIELD QUANTITIES FOR THE 2022 EMERGENCY DUNE REPAIR PROJECT, RELEASE OF PERFORMANCE BOND (NO MAINTENANCE WAS REQUIRED FOR THIS EMERGENCY JOB), AND RELEASE OF RETAINAGE AND FINAL PAYMENT TO VULCAN CONSTRUCTION GROUP, INC., FOR A NEW TOTAL CONTRACT PRICE OF \$210,500.00

JULY 13, 2022

WHEREAS, resolution of the Township Council dated May 25, 2022 authorized the award of a contract to Vulcan Construction Group, Inc., which met all of the bid specifications, for the 2022 Emergency Dune Repair Project, in the total contract price not to exceed \$244,250.00; and

WHEREAS, the Division of Engineering requests Change Order 1 to the contract, for a decrease in the contract of \$33,750.00 for final adjustment in field quantities; and

WHEREAS, the Department of Engineering has determined that it is in the best interest of the Township to approve Change Order 1 and reduce this contract by \$33,750.00, resulting in a new total contract price of \$210,500.00;

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. Change Order No. 1 – with Vulcan Construction Group, Inc., to wit:

DESCRIPTION OF CHANGE:

Authorize Change Order No. 1 for reduction in overall total contract price of this contract in the amount of \$33,750.00 for final adjustment in field quantities.

<u>ADDITIONAL</u>		<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$33,750.00)

Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$33,750.00)
Previous Change Orders	X	X

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Change Orders to Date	X	(\$37,500.00)
Net Change in Contract	X	(\$33,750.00)
ORIGINAL CONTRACT BID PRICE		\$244,250.00
NEW OVERALL CONTRACT PRICE		\$210,500.00

be and the same is hereby ratified and confirmed.

2. The funds in the amount of \$210,500.00 are available in Account No. X-19-600-140. 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) Engineering Division
- e) Vulcan Construction Group, Inc.
3 Hance Drive
Cookstown, NJ 08511

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR AND BUSINESS ADMINISTRATOR TO APPLY FOR A GRANT AGREEMENT WITH THE STATE OF NEW JERSEY DEPARTMENT OF ENVIROMENTAL PROTECTION AFFAIRS FOR DEP EQUIPMENT MODERNIZATION PROGRAM RGGI PROJECT (#22-71H-042-4801-003)

July 13, 2022

WHEREAS, by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey desires to further public interest by obtaining a grant from the State of New Jersey in the amount of approximately \$562,000 to fund for the Replacement of 1 diesel refuse truck by way of decommission and the purchase of 1 electric refuse truck.

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

- 1) The Township Council does hereby authorize submission of an application for DEP Equipment Modernization Program RGGI Project (#22-71H-042-4801-003) in an amount not to exceed \$562,000.
- 2) The Mayor and Business Administrator are hereby authorized:
 - a) to make application for such grant,
 - b) if awarded, to execute a grant agreement with the State for a grant in an amount not to exceed \$562,000, and
 - c) to execute any amendments thereto.
- 3) The Township Council authorizes and hereby agrees to a match of 1.38% or 7,891.92 of the Total Project Amount, in compliance with the match requirements of the agreement and will be provided by from account X-04—257-204.

- 4) The Township Council acknowledges the terms and conditions for administering the DEP Equipment Modernization Program RGGI Project and agrees to comply with all applicable Federal, State and municipal laws, rules and regulations in the performance pursuant to the agreement.
- 5) The Township of Toms River will comply with all applicable Federal, State and municipal laws, rules and regulations in the performance pursuant to the agreement.

CERTIFICATION

I, Michael Cruoglio, Deputy Municipal Clerk of the Township of Toms River, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 13th day of July, 2022.

Michael Cruoglio, Deputy Municipal Clerk

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) DPW Director
- g) Grant Coordinator

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR THE 2020 BULKHEAD REPAIR PROJECT TO R. KREMER & SON MARINE CONTRACTORS, AS THE LOWEST BIDDER, MEETING ALL OF THE BID SPECIFICATIONS, IN THE TOTAL CONTRACT PRICE NOT TO EXCEED \$166,656.00

JULY 13, 2022

WHEREAS, bids were received for the 2020 Bulkhead Repair Project on June 28, 2022, from the following vendors, as follows:

R. Kremer & Son Marine Contractors LLC 253 Drum Point Rd. Brick, NJ 08723	\$166,656.00
Albert Marine Construction 65 Pennsylvania Ave. Waretown, NJ 08758	\$298,690.00
JE Hannon Inc. T/A Bird Construction 105 Harbor Inn Rd. Bayville, NJ 08721	\$625,761.25

WHEREAS, the bids have been reviewed by the Purchasing Division and Engineering Department, and recommendation has been made to award a contract for the 2020 Bulkhead Repair Project to R. Kremer & Son Marine Contractors LLC, as the lowest bidder, meeting all of the bid specifications;

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 the 2020 Bulkhead Repair Project to R. Kremer & Son Marine Contractors LLC, as the lowest bidder, meeting all of the bid specifications, in the total contract amount not to exceed \$166,656.00.

2. Funds in the total contract amount not to exceed \$166,656 are available in the following accounts:

Account No. X-04- -213-005	\$	7,375.00
Account No. X-04- -224-005	\$	31,007.96
Account No. X-04- -232-001	\$	75,000.00
Account No. X-04- -250-012	\$	<u>53,273.04</u>

Total: \$ 166,656.00

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

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) Engineering Department
- e) All aforementioned bidders

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING TO ENTER INTO A CONTRACT WITH
INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP), FOR LIEUTENANT
PROMOTIONAL TESTING SERVICES FOR THE POLICE DEPARTMENT, IN A TOTAL
CONTRACT AMOUNT NOT TO EXCEED \$32,500.00**

JULY 13, 2022

WHEREAS, the Purchasing Division has requested authorization to enter into a contract with International Association of Chiefs of Police (IACP) for Lieutenant Promotional Testing Services for the Police Department; and

WHEREAS, International Association of Chiefs of Police (IACP), 44 Canal Center Plaza, Suite 200, Alexandria, VA, 22314, has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the firm has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which documents are on file in the Municipal Clerk's Office; and

WHEREAS, this contract is exempt from public bidding because the total aggregate amount is below the statutory threshold, and the requisite quotes were received; and

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

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

1. It hereby authorizes to enter into a contract with International Association of Chiefs of Police (IACP) for Lieutenant Promotional Testing Services for the Police Department, in the total contract amount not to exceed \$32,500.00.

2. Funds for this contract in the amount not to exceed \$32,500.00, are available in Account No. 2-01- -P45-534.

July 13, 2022 13

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

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

- a) Division of Purchasing
- b) Certified Financial Officer
- c) Township Attorney
- d) Township Council
- e) Police Department
- f) International Association of Chiefs of Police
44 Canal Center Plaza, Suite 200
Alexandria, VA 22314

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT TO SHORELANDS CONSTRUCTION, INC., AS THE LOWEST BIDDER MEETING ALL THE BID SPECIFICATIONS, FOR POLICE DEPARTMENT ADDITION AND SITE IMPROVEMENTS, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,763,830.00

JULY 13, 2022

WHEREAS, bids were invited for Police Department Addition and Site Improvements; and

WHEREAS, bids were received on June 23, 2022, as follows:

Shorelands Construction, Inc. \$2,092,385.70 7 Columbus Drive Monmouth Beach, NJ 07750	\$1,763,830.00	H&S Construction & Mechanical Inc. 721 Bayway Ave. Elizabeth, NJ 07202
J&M Quality Contracting LLC \$2,161,800.00 708 NJ 35, 2 nd Floor Neptune, NJ 07753	\$8,327,307.00	Catel, Inc. PO Box 943 Jackson, NJ 08527
CMG Group, Inc. \$2,349,936.00 2254 Corlies Ave., State Route 33 Neptune City, NJ 07753	\$2,382,896.30	Eagle Construction Services, Inc. 1624 Jacksonville Rd. Burlington, NJ 08016
Santorini Construction Inc. \$2,377,000.00 1 S. Riverside Drive Neptune, NJ 07753	\$2,394,165.00	Pharos enterprises LLC 284 Cliffwood Ave. Cliffwood, NJ 07721
Gavan General Contracting Inc. \$2,437,955.00 92 Forest Drive Lakewood, NJ 08701	\$2,071,902.94	McCauley Construction Company 48 Community Pl, Unit C Long Branch, NJ 07740

WHEREAS, the bids have been reviewed by the Division of Purchasing and it is their recommendation that a contract be awarded to Shorelands Construction, Inc.,

7 Columbus Drive, Monmouth Beach, NJ, 07750, as the lowest bidder meeting all of the bid specifications, for the Police Department Addition and Site Improvements;

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

1. It hereby awards a contract to Shorelands Construction, Inc., as the lowest bidder meeting all of the bid specifications, for the Police Department Addition and Site Improvements, for a total contract amount not to exceed \$1,763,830.00.

2. Funds in the amount of \$1,763,830.00 are available in the following accounts:

Account No. X-04- -251-101	\$1,500,000.00
Account No. X-04- -258-001	\$ <u>263,830.00</u>

Total: \$1,763,830.00

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

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) Engineering Department
- e) Police Department
- f) Shorelands Construction, Inc.
7 Columbus Drive
Monmouth Beach, NJ 07750

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO UTILIZE SOURCEWELL CONTRACT #091219-LEG 060920-LON AWARDED TO LABRIE ENVIRONMENTAL GROUP, TO PURCHASE ONE (1) ELECTRIC REFUSE TRUCK THROUGH AUTHORIZED DEALER, GRANTURK EQUIPMENT CO., IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$126,330.92, (PURCHASE TO BE PAID BY THE VOLKSWAGON MITIGATION GRANT PROJECT MANAGED BY THE NJDEP EQUIPMENT MODERNIZATION PROGRAM),

AND

AUTHORIZING THE PURCHASING DIVISION TO UTILIZE SOURCEWELL CONTRACT #060920-PMC AWARDED TO PETERBILT MOTORS COMPANY, TO PURCHASE ONE (1) CLASS 5-8 CHASSIS WITH RELATED EQUIPMENT THROUGH AUTHORIZED DEALER, HUNTER TRUCK, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED \$446,476.00 (PURCHASE TO BE PAID BY THE VOLKSWAGEN MITIGATION GRANT PROJECT MANAGED BY THE NJDEP EQUIPMENT MODERNIZATION PROGRAM), FOR A TOTAL MAXIMUM CONTRACT AMOUNT OF \$572,806.92

JULY 13, 2022

WHEREAS, by resolution dated May 11, 2021, the Township awarded a contract to Lion Electric Co. for the purchase of One (1) Electric Refuse Truck in the amount of \$551,800.00, through authorized dealer, HK Truck Services, Inc. utilizing Sourcewell Contract #060920-LON; and

WHEREAS, the Lion Electric Co. has informed the Township that it cannot honor the original pricing, requiring rescission of the award and a re-award to a different vendor; and

WHEREAS, the Township 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 #091219-LEG 060920-LON was awarded to Labrie Environmental Group through authorized dealer, GranTurk Equipment Co., One Schuylkill Parkway, Building B., Bridgeport, PA, 19405-1069; and

WHEREAS, pursuant to bids received, Sourcewell Contract #060920-PMC was awarded to Peterbilt Motors Company through authorized dealer, Hunter Truck, 524 Monmouth Road, Clarksburg, NJ, 08510; and

WHEREAS, the Purchasing Division is requesting authorization to utilize Sourcewell Contract #091219-LEG 060920 awarded to Labrie Environmental Group, to purchase One (1) Electric Refuse Truck through authorized dealer, GranTurk Equipment Co., One Schuylkill Parkway, Building B, Bridgeport, PA, 19405-1069, in the total contract price of \$126,330.92, as follows:

Purchase to be paid by the Volkswagen Mitigation Grant Project managed by the NJDEP Equipment Modernization Program.

<u>Item Description</u>	<u>Quantit y</u>	<u>Total</u>
Leach 25 Cu. Yd. 2R-III	1	\$132,140.00
Chromium Overlay Slide Shoes & Guides	1	\$5,860.00
Hardox Upgrade Tailgate	1	\$3,580.00
Dual Hydraulic Tippers	1	\$4,940.00
LED Oval Strokes on Tailgate Qty 2	1	\$1,280.00
Dual LED Work Lights-Flush- Flush Mounted	1	\$1,200.00
Single 3rd Eye Camera System	1	\$4,040.00
3rd Eye 7" Color LCD Monitor	1	\$0.00
Environmental Spill Kit	1	\$660.00
Hardox Ramp Liner-Rear Body	1	\$600.00
Metal Mud Guards	1	\$820.00
Rubber Mud Guards	1	\$500.00
One Color Urethane Paint	1	\$0.00
One(1) Year Leach Parts & Service Warranty	1	\$0.00
Non-standard material and additional mounting time for electric vehicle	1	\$20,000.00
	Subtot al:	\$175,620.00
Sourcewell 51% discount		\$89,566.20
	TOTAL	
	:	\$86,053.80
Material (Steel) Surcharge		\$14,300.00
Freight		\$12,000.00
Outsource Goods: Perkins Tippers Installed		\$10,477.12
Prep, Delivery & Training		\$3,500.00
	TOTAL	
	:	\$126,330.92

WHEREAS, the Purchasing Division is requesting authorization to utilize Sourcewell Contract #060920-PMC awarded to Peterbilt Motors Company, to purchase One (1) Class 5-8 Chassis with Related Equipment through authorized dealer, Hunter Truck, 524 Monmouth Road, Clarksburg, NJ, 08510, in the total contract price of \$446,476.00, as follows:

Purchase to be paid by the Volkswagen Mitigation Grant Project managed by the NJDEP Equipment Modernization Program.

<u>Item Description</u>	<u>Quantit</u> <u>y</u>	<u>Total</u>
2023 or newer model year Peterbilt 520EV(Electric Vehicle) tandem axle cab & chassis with a 66,000lb GVW to be equipped with a Rearloading Refuse Collection body	1	\$674,688. 00 -
		\$249,635.
Sourcewell Discount		00
Floor Plan Cost	1	\$2,000.00
Manuals	1	\$500.00
Pre-delivery detail	1	\$500.00
Spare Front & Rear Tire & Wheel	1	\$2,400.00
Basic Vehicle Coverage: 5 years 100,000 miles	1	\$2,915.00 \$12,608.0
22 KW WALLBOX DC Charger	1	0
	Subtot al:	\$445,976 .00
	Shippin g:	\$500.00
	TOTAL :	\$446,476 .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. The contract award to Lion Electric Co. by resolution dated May 11, 2021 for the purchase of One (1) Electric Refuse Truck in the amount of \$551,800.00, through authorized dealer, HK Truck Services, Inc. utilizing Sourcewell Contract #060920-LON, is hereby rescinded.

2. It hereby authorizes to utilize Sourcewell Contract #091219-LEG 060920 awarded to Labrie Environmental Group, to purchase One (1) Electric Refuse Truck for the Department of Public works, through its authorized dealer, GranTurk Equipment Co., One Schuylkill Parkway, Building B, Bridgeport, PA, 19405-1069, in the total contract price of \$126,330.92, as follows:

Purchase to be paid by the Volkswagen Mitigation Grant Project managed by the NJDEP Equipment Modernization Program.

<u>Item Description</u>	<u>Quantit</u> <u>y</u>	<u>Total</u>
Leach 25 Cu. Yd. 2R-III Chromium Overlay Slide Shoes & Guides	1	\$132,140.00
Hardox Upgrade Tailgate	1	\$5,860.00
Dual Hydraulic Tippers	1	\$3,580.00
LED Oval Strokes on Tailgate Qty 2	1	\$4,940.00
Dual LED Work Lights-Flush- Flush Mounted	1	\$1,280.00
Single 3rd Eye Camera System	1	\$1,200.00
3rd Eye 7" Color LCD Monitor	1	\$4,040.00
Environmental Spill Kit	1	\$0.00
		\$660.00

Hardox Ramp Liner-Rear Body	1	\$600.00
Metal Mud Guards	1	\$820.00
Rubber Mud Guards	1	\$500.00
One Color Urethane Paint	1	\$0.00
One(1) Year Leach Parts & Service Warranty	1	\$0.00
Non-standard material and additional mounting time for electric vehicle	1	\$20,000.00
Subtotal:		\$175,620.00
Sourcewell 51% discount		\$89,566.20
TOTAL :		\$86,053.80
Material (Steel) Surcharge		\$14,300.00
Freight		\$12,000.00
Outsource Goods: Perkins		
Tippers Installed		\$10,477.12
Prep, Delivery & Training		\$3,500.00
TOTAL :		\$126,330.92

3. It hereby authorizes the Mayor to execute and the Deputy Township Clerk to attest to a Grant Agreement with the State of New Jersey, Department of Environmental Protection Affairs for DEP Equipment Modernization Program RGGI Project (#22-71H-042-4801-003).

4. Funds for this purchase in the amount of \$126,330.92 are available in Account No. X-99- -907-795.

5. It hereby authorizes to utilize Sourcewell Contract #060920-PMC awarded to Peterbilt Motors Company, to purchase One (1) Class 5-8 Chassis with Related Equipment for the Department of Public Works, through its authorized dealer, Hunter Truck, 524 Monmouth Road, Clarksburg, NJ, 08510, in the total contract price of \$446,476.00, as follows:

Purchase to be paid by the Volkswagen Mitigation Grant Project managed by the NJDEP Equipment Modernization Program.

<u>Item Description</u>	<u>Quantity</u>	<u>Total</u>
2023 or newer model year Peterbilt 520EV(Electric Vehicle) tandem axle cab & chassis with a 66,000lb GVW to be equipped with a Rearloading Refuse Collection body	1	\$674,688.00
Sourcewell Discount		-\$249,635.00
Floor Plan Cost	1	\$2,000.00
Manuals	1	\$500.00
Pre-delivery detail	1	\$500.00
Spare Front & Rear Tire & Wheel	1	\$2,400.00
Basic Vehicle Coverage: 5 years 100,000 miles	1	\$2,915.00
22 KW WALLBOX DC Charger	1	\$12,608.00
Subtotal:		\$445,976.00
Shipping:		\$500.00

TOTAL
: **\$446,476.00**

6. Funds for this purchase are available in the following accounts:

Account No. X-99- -907-795	\$435,669.08
Account No. X-04- -257-204	<u>\$ 10,806.92</u>
	\$446,476.00

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) GranTurk Equipment Co.
One Schuylkill Parkway, Building B.
Bridgeport, PA 19405-1069
- f) Hunter Truck
524 Monmouth Road
Clarksburg, NJ 08510

**RESOLUTION AMENDING BUDGET REVENUES AND APPROPRIATIONS
FOR YOUTH LEADERSHIP GRANT**

July 13, 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 State of NJ Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) 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 \$8,130.70 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:

DMHAS Youth Leadership Grant.....\$8,130.70
pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$8,130.70 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

DMHAS Youth Leadership Grant.....\$8,130.70

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

- A) Division of Local Government Services (done electronically)
- B) Chief Financial Officer
- C) Township Auditor
- D) Health and Human Services Department

Approved as to Content:

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE FINAL CLOSEOUT OF THE
DEMOLITION OF VARIOUS STRUCTURES AT CAMP ALBACONDO, ACCEPTANCE OF
MAINTENANCE BOND, RELEASE PERFORMANCE BOND, AND AUTHORIZING FINAL
PAYMENT AND RELEASE OF RETAINAGE TO CONTRACTOR, FOLCHER
ASSOCIATES GROUP, IN THE TOTAL AMOUNT OF \$9,772.30**

JULY 13, 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, resolution of the Township Council dated June 22, 2022 amended 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

WHEREAS, Folcher Associates Group has submitted the required documents in connection with the closeout of this project; and

WHEREAS, it is necessary to take certain action with respect to documents that are required to be completed before the project can be closed out and payment processed, as follows:

- a) Original Maintenance Bond No. CE12565900102 with Folcher Associated Group, as Principal, and Philadelphia Indemnity Insurance Company, as Surety;
- b) Contractor's Application for Final Payment and Release of Retainage to date, in the total amount of \$9,772.30.

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 appropriate Township Officials of the Township of Toms River to take whatever action is necessary to process the aforesaid documentation to close out the Demolition of Various Structures at Camp Albacondo, acceptance of Maintenance Bond, Release Performance Bond, and Release of Retainage and final payment to Folcher Associates Group in the total amount of \$9,772.30.

2. Funds in the amount of \$9,772.30 are available in Account No. 1-24-O24-502.

July 13, 2022 20

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Engineering Division
- e) Folcher Associates Group
2101 Woodland Avenue OFC
Hammonton, NJ 08037

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AMENDMENT TO PO 20-04999 TO T&M ASSOCIATES TO PERFORM A COST ESTIMATE OF ADDITIONAL BUILDING ENVELOPE IMPROVEMENTS ON THE WINDING RIVER SKATING CENTER INDOOR RINK TO POSSIBLY REDUCE THE SIZE OF THE REPLACEMENT DEHUMIDIFICATION UNIT THAT NEEDS TO BE REPLACED, FOR AN ADDITIONAL FEE OF \$6,000.00, AND FOR A TOTAL PROJECT COST NOT TO EXCEED \$40,500.00

JULY 13, 2022

WHEREAS, on October 13, 2020 T&M Associates was authorized by the Township to assist the Engineering Division in the design of a new chiller at the outside rink and the inside rink dehumidification system, at the Winding River Ice Skating Center, for a total maximum contract amount not to exceed \$34,500.00 for Phase/Task (I, II and III) only; and

WHEREAS, the Township has requested T&M Associates to prepare a budgetary construction cost estimate for the recommended improvements to better understand the total cost impacts of this project, which show potential cost savings of the replacement dehumidification unit (less envelope upgrade costs) and then yearly energy savings;

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 T&M Associates to perform a cost estimate of additional building envelope improvements on the Winding River Skating Center Indoor Rink to possibly reduce the size of the replacement dehumidification unit that needs to be replaced, for an additional fee of \$6,000.00, for a total project cost not to exceed \$40,500.00.

2. Funds in the additional amount of \$6,000.00 are available in the Account No. X-04-250-019.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Township Engineer
- e) T&M Associates
1144 Hooper Avenue, Suite 202
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF A CONTRACT FOR
THE SUPPLY OF COPY PAPER, PARCHMENT PAPER AND PHOTO HOLDERS, TO
WB MASON CO., INC.**

JULY 13, 2022

WHEREAS, bids were invited for the Supply of Copy Paper, Parchment Paper and Photo Holders; and

WHEREAS, one bid was received on June 23, 2022 from the following vendor:

WB Mason Co Inc.
300 Prospect Plains Rd.
Cranbury, NJ 08512

WHEREAS, the bid from WB Mason Co., Inc. was reviewed by the Purchasing Division and it recommends the award of contract be made to WB Mason Co Inc., as follows:

WB Mason Co Inc. – for Item Numbers: 1-6.

WHEREAS, Item Numbers 7-11 received no bids and shall be rebid; and

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

1. It hereby awards a contract for the Supply of Copy Paper, Parchment Paper and Photo Holders to WB Mason Co. Inc., who meets all the bid specifications, for Item Nos. 1-6.
2. Item Nos. 7-11 received no bids and shall be rebid.
3. 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 Term of contract shall be effective for six (6) consecutive months retroactive from July 11, 2022 through January 10, 2023.
5. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
6. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) All Departments
- e) WB Mason Co. Inc.
300 Prospect Plains Rd.
Cranbury, NJ 08512

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT TO T&M
ASSOCIATES TO ASSIST THE ENGINEERING DIVISION IN THE DESIGN AND
PROCUREMENT OF NJDEP PERMITS FOR THE PHASE 2 TIDE CREEK STREAM
CLEANING PROJECT, IN THE TOTAL CONTRACT AMOUNT NOT TO EXCEED
\$35,200.00**

JULY 13, 2022

WHEREAS, resolution of the Township Council dated January 26, 2022 authorized the firm of T&M Associates to be placed on a pre-approved list for professional inspection and general engineering services commencing January 27, 2022 up to and including December 31, 2022; and

WHEREAS, the Township requires assistance to the Engineering Division in the Design and Procurement of NJDEP Permits for the Phase 2 Tide Creek Stream Cleaning Project; and

WHEREAS, T&M Associates has submitted a proposal dated February 26, 2021 for providing professional engineering services to assist the Township of Toms River Engineering Division in the Design and Procurement of NJDEP Permits for the Phase 2 Tide Creek Stream Cleaning Project, in the total contract amount not to exceed \$35,200.00; and

WHEREAS, the Township Engineer has reviewed the proposal submitted by T&M Associates, and has recommended award of contract to T&M Associates for this project;

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

1. It hereby awards a contract to T&M Associates to assist the Engineering Division in the Design and Procurement of NJDEP Permits for the Phase 2 Tide Creek Stream Cleaning Project, in the total contract amount not to exceed \$35,200.00.

2. Funds for this contract in the amount not to exceed \$35,200.00 are available in Account No. X-04-257-198.

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

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

- a) Mayor Maurice B. Hill, Jr.
- b) Certified Financial Officer
- c) Purchasing Division
- d) Township Attorney
- e) Engineering Division
- f) T&M Associates
1144 Hooper Avenue, Suite 202
Toms River, NJ 08753

**RESOLUTION OF THE TOWNSHIP OF COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, FOR APPROVAL TO SUBMIT A GRANT
APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR THE ROADWAY ELEVATION OF SOUTH
COURT, NORTH LAGOON ROAD, SOUTH LAGOON ROAD, SILVER BEACH ROAD,
HERON ROAD AND JOHNSON ROAD**

JULY 13, 2022

NOW, THEREFORE, BE IT RESOLVED that the Council of the Township of Toms River formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Deputy Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Elevation of South Court, North Lagoon Road, South Lagoon Road, Silver Beach Road, Heron Road and Johnson Road-00028 to the New Jersey Department of Transportation on behalf of the Township of Toms River;

BE IT FURTHER RESOLVED that the Mayor and Deputy Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Toms River, that their signatures constitute acceptance of the terms and conditions of the grant agreement, and approves the execution of the grant agreement.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Township Attorney
- d) Certified Financial Officer
- e) Township Engineer
- f) Department of Transportation
State of New Jersey
PO Box 600
Trenton, NJ 08625-0600

RESOLUTION IMPOSING CHARGES INCURRED UNDER SECTION 111 OF THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE AS A LIEN ON REAL PROPERTY, AND DIRECTING THE TAX COLLECTOR TO COLLECT THESE COSTS, AND IMPOSE INTEREST ON UNPAID COSTS, IN THE SAME MANNER AS PROVIDED FOR IN THE COLLECTION OF REAL ESTATE TAXES IN THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY

JULY 13, 2022

WHEREAS, the Township of Toms River adopted the 2006 International Property Maintenance Code (the "Code") as part of Chapter 335 (Housing and Rental Property Standards) of the Township Code; and

WHEREAS, Section 111 of the Code provides that costs incurred by the Township in remediating conditions on properties in violation of the Code are to be assessed and levied upon lands, and bear interest at the same rate as real property taxes, and be collected and enforced in the same manner as provided for the collection of real property taxes; and

WHEREAS, the Housing and Property Maintenance Supervisor, has filed a Certification of Costs incurred by the Township, which costs are outlined on Schedule "A", attached to and made part 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) The Township Council determines the Certification of Costs as set forth as Schedule "A" to be accurate.

2) The Tax Collector is authorized and directed to collect the costs listed on the Certification of Costs. The amount shown on the Certification of Costs shall be charged, become, and form part of the real estate taxes next to be assessed and levied upon such property, and shall bear interest at the same rate as real property taxes, and shall be collected and enforced in the same manner as provided for in the collection of real property taxes.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Certified Financial Officer
- d) Township Attorney
- e) Tax Collector

- e) Division of Parks, Buildings and Grounds
- f) Code Enforcement
- g) Department of Public Works
- h) Shaindy Braun
86 Shady Lane Drive
Lakewood, NJ 08701
- i) Silver Ridge LLC
569 Lakehurst Road
Toms River, NJ 08755
- j) Steven S. Fine & Tennenhaus, C T B
61 Sprucewood Drive
Toms River, NJ 08755
- k) Shawn Florenza
2536 Whitesville Road
Toms River, NJ 08755
- l) Chana Kesserman
5 Kimball Road
Lakewood, NJ 08701

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 170, LOT 7 (1876 Lakewood Road)

July 13, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 170, Lot 7.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Cash Bond in the amount \$17,630.00 to remain on account to represent the Maintenance Guarantee.

WHEREAS, the Township Engineer has made an inspection of said Major Site Plan and finds that all improvements have been satisfactorily completed; and

WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and acceptance of Maintenance Guarantees;

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

- 1) Previously posted Surety Bond # CM100186 in the amount of \$158,670.00 Is hereby released;
- 2) Maintenance Cash Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 1876 Lakewood Road, LLC
41 Arosa Hill
Lakewood, NJ 08701

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS BLOCK 691, LOT 14 (671 Batchelor Street)

July 13, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 691, Lot 14.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$93,400.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$5,000.00 which represents the Safety and Stabilization guarantee.
- 3) Check in the amount of \$8,098.29 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 DXD Self Storage Fund I, LP, 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. DXD Self Storage Fund I, LP
DXD F1 Toms River, LLC
1718 Central Avenue SW Suite B
Albuquerque, NM 87104

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS BLOCK 644.04, LOT 28 (Hooper Avenue)

July 13, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 644.04, Lot 28.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$5,000.00 which represents the Safety and Stabilization guarantee amount.
- 2) Check in the amount of \$8,555.00 which represents the escrow amount.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by AAA Hospitality Holdings of Toms River, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. AAA Hospitality Holdings of Toms River, LLC
212 Sunset Drive North
Pelican Island NJ 08751

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN AS, BLOCK 1097.06, LOT 7, 8 AND 9 (305 Lanyard Road)

July 13, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as, Block 1097.06, Lot 7, 8 & 9.

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 \$1,500.00 currently on deposit in account # X-19- -607-748 is hereby released with applicable interest if any;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Joseph C. Curatolo
137 Huntington Drive
Jackson, NJ 08527

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP DEPUTY CLERK TO ATTEST TO AN EMPLOYMENT AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND PATRICK DELLANE, DEPUTY CHIEF OF POLICE

JULY 13, 2022

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

1. The Mayor is authorized to sign and the Township Clerk to attest to an Employment Agreement with Deputy Chief of Police, Patrick Dellane.

2. A copy of the proposed Employment Agreement is attached to this Resolution, and shall be available for public inspection 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) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Police Department
- g) Patrick Dellane, Deputy Chief of Police

Council Member Rodrick indicated that he knows Mr. Luthman well, but does not know alternate Mr. Brazinski, so he voted no.

Council Member Lotano mentioned we interviewed candidates and decided they were best fit.

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

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, REMOVING NELS LUTHMAN AS AN ALTERNATE
ZONING BOARD OF ADJUSTMENT MEMBER AND APPOINTING NELS LUTHMAN AS A
REGULAR ZONING BOARD OF ADJUSTMENT MEMBER TO FILL A SEAT VACATED
BY RESIGNATION FOR AN UNEXPIRED TERM, AND APPOINTING MATTHEW
BRAZINSKI AS A NEW ALTERNATE MEMBER OF THE ZONING BOARD OF
ADJUSTMENT**

JULY 13, 2022

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

1. Nels Luthman is hereby removed as an Alternate Member of the Toms River Township Zoning Board of Adjustment, and is hereby appointed as a Regular Member of the Toms River Township Zoning Board of Adjustment, to fill a seat vacated by resignation, for an unexpired term, as follows:

<u>Regular Members</u>	<u>Term</u>
Nels Luthman	12-31-2022

2. Matthew Brazinski is hereby appointed as an Alternate Member of the Toms River Township Zoning Board of Adjustment, as follows:

<u>Alternate Members</u>	<u>Term</u>
Matthew Brazinski	12-31-2022

3. Matthew Brazinski is hereby designated as Alternate Member #4; Alternate Members Anthony Colucci, Dana Tormollan and Alexis Bailey are hereby re-designated as Alternate Members #1 through #3 respectively.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Zoning Board of Adjustment
- f) Each appointee listed above, who shall present themselves before the Township Clerk and take the Oath of Office

REPORTS

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 Reports.

Building Department

	2022	2021
Building Permits – June	\$310,100.00	\$292,341.00
Building Permits – YTD through June	\$1,789,146.00	\$1,717,084.00

	2022	2021
Bey Lea Golf Course- June	\$245,764.91	\$259,056.80
Bey Lea Golf Course- YTD through June	\$746,213.90	\$774,997.41
Winding River Ice Rink- June	\$47,556.00	\$41,262.00
Winding River Ice Rink- YTD through June	\$543,050.95	\$414,662.74
Pool Badges- Week 15	\$29,266.00	\$31,198.00
Beach Badges- Week 15	\$511,700.00	\$731,547.00

APPROVAL OF BILLS

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **July 7, 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 22-03681, payable to Silverton First Aid Squad, Inc., in the amount of \$1,504.93.

Purchase Order 22-03683, payable to United Healthcare Insurance Company, in the amount of \$77,610.54.

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

Purchase Order 22-02850, payable to Preferred Behavioral Health in the amount of \$9,984.24.

Council Member Ciccozzi – None

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

Purchase Order 22-03283, payable to Owen Little * Associates, Inc., in the amount of \$10,317.84.

Purchase Order 22-03681, payable to Silverton First Aid Squad, Inc., in the amount of \$1,504.93.

Purchase Order 22-01896, payable to A.C. Hesse, in the amount of \$1,995.00.

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

Purchase Order 22-03757, payable to Magistrate Salaries in the amount of \$6,937.41.

Council Member Quinlisk– None

Council Member Rodrick– None

ELECTED OFFICIALS COMMENTS

Council Member Lamb had no comments

Council Member Rodrick had no comments

Council Member Lotano spoke regarding traffic light at main and Washington street. It is now safer and reprogrammed. Toms River Mayor Committee on Developed Disabilities held a ribbon cutting for mobile sensory activation trailer. Funding was free-paid by donations from public, and Happy Birthday to Councilman Kopp.

Council Member Kopp mentioned that Saturday 16th is Summer in Street Festival.

Council Member Ciccozzi mentioned that Planning Board continues to see low applications, and said go out and enjoy our beaches.

Mayor Hill spoke regarding strike guard installation for lightning working on beach. Mobile sensory trailer is first in nation. Blue Star site was cleaned up and added a hydrant at site. Also Happy Birthday to Councilman Kopp.

Council President Geoghegan had no comments.

PUBLIC COMMENTS

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

Craig Salterelli, 89 Cedar Grove Road, spoke regarding reformers advocates for Animal Shelters of New Jersey; mold issue and killing bully breed dogs.

Deb Geisinger, 501C3 Lost Dog Search and Rescue, also had issue with Animal Shelter.

Susan Carney, 1311 Arthur Street, New Jersey Animal Safe Movement, spoke about a dog at Animal Shelter and issues at shelter.

Ellen Fitzpatrick, offered behavior analysis of dogs at shelter.

Dolores (last name unknown) asked for status of dog at shelter and was told it was not up for adoption.

Maria Szmanski, Animal Control Officer of Popcorn Zoo, spoke regarding trap, neuter, release program. Also spoke regarding feral cats.

Laurie Cohen adopted a dog from Toms River, claimed dogs and cats are left alone for 4:30 pm to 8:30 am.

Debra Martin, 1923 Ocean Avenue, Ortley Beach, thanked the police officers and sheriff's office for help with beach issues.

Elizabeth Summino, spoke regarding ESY Program and success for students.

Chris Merlo, 811 Ocean View Drive, spoke about speeding on his road.

Joanne Carr, 207 Cedar Drive, Lanoka Harbor, run a food bank for pets and spoke about hiring a certified behaviorist for shelter. She also asked Council for investigation into shelter.

Abraham Herschkowitz, kids targeting groups of ethnicities at Ocean County Mall. It is getting out of hand, unsupervised, and there is no security. He also asked if there was an ordinance.

Anthony Devecka, 60 Main Street, spoke about speeding issues.

Amanda Mercandante, Bayville, spoke about skate park issues. Asked for awnings and water bottle station.

Rosalie King, 816 Ocean View Drive, spoke regarding speeding issues.

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

A motion was made by Council Member Lotano, seconded by Council Member Kopp, and carried to enter into a private Executive Session at 7:14 p.m.

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

R E S O L U T I O N

WHEREAS, 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:

Attorney-Client Privilege

3. The following specific topics were announced.

1. Executive Session Minutes: June 8, 2022 Regular Meeting
2. Personnel Issues
3. Attorney-Client Privileged Matters- Review of Legal Issues regarding Medical Cannabis

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 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

The Council **reconvened** the public portion at 7:47 P.M., 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.

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:

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING SECTION 8.20, SUBSECTIONS "I" AND "O" OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE TOWNSHIP CODE REGULATING PARKING FOR PLACES OF ASSEMBLY AND OFF-TRACT PARKING FOR NONRESIDENTIAL USES, AND AMENDING SECTION 8.26, SUBSECTION "G" OF THE TOWNSHIP CODE REGULATING GROUND SIGNS

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

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

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

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

1. That the foregoing ordinance, the title of which is quoted in the title hereof, be and the same is hereby passed on second and final reading.

2. That the title and purpose of said ordinance, together with the Notice of Final Passage thereof is published in the Asbury Park Press.

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

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

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 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:

June 9, 2022 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 7::48 P. M., on motion with Council Member Lotano, seconded by Council Member Rodrick, and carried with Council Members Ciccozzi,, Kopp, Lamb, Lotano, Quinlisk, Rodrick, and with Council President Geoghegan voting yes.

KEVIN GEOGHEGAN, COUNCIL PRESIDENT

MICHAEL CRUOGLIO, DEPUTY CLERK

