

September 14, 2021

A Regular Meeting of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, 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 Friday, January 8, 2021, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Wednesday, January 6, 2021, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, January 5, 2021. The meeting dates have also been posted on the Township web page.

Roll Call:

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

A motion was made by Council Member Lotano, seconded by Council Member Huryk, and with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council Member Geoghegan voting yes, and with Council Member Rodrick absent, to approve an excused absence for Council Member Rodrick.

APPROVAL OF MINUTES

A motion was made by Council Member Maruca, seconded by Council Member Lotano, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach and Council President Geoghegan voting yes, and with Council Members Rodrick absent, to approve the **Regular Meeting of August 24, 2021**. The reading of these Minutes was dispensed with, as each member of the Township Council has reviewed a certified copy hereof

HONORING RESOLUTIONS AND PRESENTATIONS

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

Mayor Hill and Council Members presented proclamations to the little league and coaches. Council President Geoghegan called out the boy's names to receive their medallions.

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Township of Toms River

Proclamation

September 14, 2021

WHEREAS, the Toms River East Little League 12U All-Star team achieved a history making 2021 season leading to a trip to the Little League World Series in Williamsport and;

WHEREAS, the team won the New Jersey District 18 Championship, the Section 3 and NJ State Championships, and was 1st Runner- Up in the Mid-Atlantic Region; and

WHEREAS, the team also finished in the top 10 in the Little League World Series out of 4,500 teams that entered the tournament in 2021; and

WHEREAS, the Township of Toms River congratulates the members of the Toms River East Little League 12U All-Stars, which includes players Steven Malato, Joey DiMeo, Carson Frazier, Jason Verderrosa, Cole Garrison, Christopher Tennaro, Dominic Roma, Max Mika, Cailen Cimorelli, Tommy Intintola, Jalen McLean, Dominick Sabatino, Adrian Bilotti, Coaches Paddy Matera, Barry Intintola and Manager Paul Mika.

WHEREAS, the Township of Toms River wishes to recognize the hard work and dedication exhibited by the players, coaches and families of the Toms River East Little League organization, and to celebrate and honor the significant achievement of the 12U All Stars in 2021.

NOW, THEREFORE, be it resolved that I, Mayor Maurice B. Hill, with the full concurrence of the Township Council, do hereby recognize and honor the Toms River East Little League 12U All-Star baseball team for their athletic achievement and join all Toms River residents in thanking them for an amazing and exciting 2021 season.

Mayor Maurice B. Hill, Jr.

*Kevin M. Geoghegan
Council President*

Laurie A. Huryk

Joshua D. Kopp

Matthew W. Lotano

Maria L. Maruca

Daniel T. Rodrick

Terrance L. Turnbach

Council President Geoghegan announced a short recess at 6:00 p.m. Reconvened at 6:13 p.m.

Alison Carlisle, 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 Huryk, and carried that an Ordinance entitled:

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 8.26 (SIGNS) OF CHAPTER 348 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE TOWNSHIP CODE TO REVISE THE GENERAL DESIGN GUIDELINES FOR ALL SIGNAGE IN THE TOWNSHIP

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

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

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

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

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

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

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

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 121 (HOTELS AND MOTELS) OF THE TOWNSHIP CODE TO ESTABLISH A HOTEL AND MOTEL OCCUPANCY TAX PURSUANT TO N.J.S.A. 40:48F-1

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

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

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

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

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

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

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

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

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

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING ENTRY OF A REAL ESTATE
PURCHASE AND SALE AGREEMENT WITH FDS TOMS RIVER, LLC AS THE
DESIGNATED REDEVELOPER OF BLOCK 606.02, LOTS 394, 395, 406, 409, 410 AND
411 WITHIN THE HOOPER-CAUDINA REDEVELOPMENT PLAN AREA, FOR
DEVELOPMENT OF THE US DEPARTMENT OF VETERANS AFFAIRS COMMUNITY
BASED OUTPATIENT CLINIC**

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 Park Street, mentioned that not all parcels being used for VA, just making it known. Also, \$11,000 by Mancini and Associates appraisal. Township Planner Roberts explained.

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

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

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

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

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

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

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

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

ORDINANCE REAPPROPRIATING \$985,532.25 OF THE PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR A CAPITAL IMPROVEMENT IN AND BY THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$985,532.25 of the proceeds of obligations originally made available pursuant to Section 3.(a) of Bond Ordinance No. 4572-18 of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), finally adopted by the Township Council of the Township on February 13, 2021 ("Bond Ordinance No. 4572-18"), is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$985,532.25 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39, from Bond Ordinance No. 4572-18 is hereby reappropriated to provide funding for the acquisition of land for open space purposes located in the Township, designated on the municipal tax map as Block 411, Lot 87 (the Boy Scout Property), and including all rights or interests therein, and including all work and services necessary therefor or incidental thereto.

Section 3. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing ordinance was duly introduced and passed upon first reading at a regular meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on August 24, 2021. Further notice is hereby given that said ordinance will be considered for final passage and adoption, after public hearing thereon, at a regular meeting of said Township Council to be held in the Municipal Offices, 33 Washington Street, Toms River, New Jersey on September 14, 2021 at 6 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Township Clerk's Office in the Municipal Building to the members of the general public who shall request the same.

Alison Carlisle, Township Clerk

NOTICE OF ADOPTION OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the ordinance published herewith has been finally adopted by the Township Council of the Township of Toms River, in the County of Ocean, New Jersey on September 14, 2021, and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

Alison Carlisle, Township Clerk

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

Catherine Galioto-Galesky, explained the purchase/lease of Boy Scout land and building.

Township Administrator Amoruso explained.

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

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

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

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

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

Council Member Huryk	Yes
Council Member Kopp	Yes

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Council Member Lotano	Yes
Council Member Rodrick	Absent
Council Member Turnbach	Yes
Council Vice-President Maruca	Yes
Council President Geoghegan	Yes

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

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF CERTAIN REAL PROPERTY DESIGNATED AS LOT 87 IN BLOCK 411, AS SHOWN ON THE OFFICIAL TAX MAPS OF TOMS RIVER TOWNSHIP, PURSUANT TO THE PROVISIONS OF N.J.S.A. 40A:12-5, AND FURTHER AUTHORIZING THE LEASING THEREOF TO JERSEY SHORE COUNCIL, INC./ BOY SCOUTS OF AMERICA, FOR NOMINAL CONSIDERATION PURSUANT TO N.J.S.A. 40A:12-14(c).

WHEREAS, the Township Council has considered the purchase of certain real property located within the Township of Toms River known and designated as Lot 87 in Block 411, as shown on the official tax map of Toms River Township, having a street address of 1518 Ridgeway Road, Toms River, New Jersey, and currently owned by the Jersey Shore Council, Inc., of the Boy Scouts of America, a non-profit corporation of the State of New Jersey; and

WHEREAS, the subject property comprises approximately 3.85 acres or 167,706 square feet; and

WHEREAS, the Township has commissioned an appraisal of the subject property and has determined that the fair market value of said property is \$1,100,000.00 in accordance with the original appraisal and correspondence of Henry J. Mancini & Associates, Inc.; and

WHEREAS, said purchase is as described in the draft Contract of Sale and on file in the Office of the Township Clerk which can be reviewed during normal business hours; and

WHEREAS, in addition thereto, pursuant to N.J.S.A. 40A-12-14(c), the Township has further considered the Lease of said property to the Jersey Shore Council, Inc./Boy Scouts of America for a period of 24 months with a tenant option for an additional period of 12 months for nominal consideration of one dollar (\$1.00); and

WHEREAS, the public purpose served by said Lease includes the continuation of scouting programs of the Jersey Shore Council/Boy Scouts of America which services numerous residents of Toms River and other communities:

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

1. Pursuant to N.J.S.A. 40A:12-5, the Township Council authorizes the purchase of certain real property located within the Township of Toms River known and designated as Lot 87 in Block 411 as shown on the official tax maps of Toms River Township, having a street address of 1518 Ridgeway Road, Toms River, New Jersey, and currently owned by the Jersey Shore Council, Inc., of the Boy Scouts of America, a non-profit corporation of the State of New Jersey.

2. Pursuant to N.J.S.A. 40A:12-14(c), the Township Council further authorizes the Lease of said property to the Jersey Shore Council, Inc./Boy Scouts of America for a period of 24 months with a tenant option for an additional period of 12 months for nominal consideration of one dollar (\$1.00). The Township of Toms River shall be responsible for enforcement of the conditions of said Lease. The Lease shall provide that the Jersey Shore Council, Inc., shall annually submit a report to the individual identified by the Township of Toms River setting out the use to which the Leasehold was put during the preceding year; the activities of the lessee undertaken in furtherance of the public purpose for which a leasehold was granted; the approximate value or cost, if any, in furtherance of said purpose; and an affirmation of the continued tax status of the non-profit corporation pursuant to both state and federal law.

3. The Mayor, Business Administrator, and Township Clerk are hereby authorized to execute any and all documents necessary to implement the intent of this ordinance.

4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

6. This ordinance is not legislative in nature and therefore need not be codified.

7. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and 20 days after publication as required by law.

A motion was made by Council Member Huryk, seconded by Council Member Lotano and carried, with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council President Geoghegan, voting yes, and with Council Member Rodrick absent, that the foregoing Ordinance be adopted on first reading with publication notice as follows:

NOTICE

NOTICE IS HEREBY GIVEN that the ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on September 14, 2021 at 6:00 p.m. It will be further considered for final passage at a public meeting to be held in the L. Manuel Hirshblond Meeting Room of the Municipal Building in said Township on September 28, 2021 at 6:00 p.m., or as soon thereafter as this matter can be reached, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance. Prior to the second reading, a copy of this ordinance shall be posted on the bulletin board in the Municipal Building and copies shall be made available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

ALISON CARLISLE

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TOWNSHIP CLERK

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

This ordinance title and purpose, together with notice, shall be published in the Asbury Park Press in the issue of Friday, September 17, 2021.

Ordinance was adopted on first reading with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council President Geoghegan voting yes, and with Council Member Rodrick absent.

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

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

ORDINANCE REAPPROPRIATING \$1,396,007.38 OF THE PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR A CAPITAL IMPROVEMENT IN AND BY THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL MEMBERS THEREOF AFFIRMATIVELY CONCURRING) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$1,396,007.38 of the proceeds of obligations originally made available pursuant to Section 3.(a)(1) of Bond Ordinance No. 4500-15 of the Township of Toms River, in the County of Ocean, New Jersey (the "Township"), finally adopted by the Township Council of the Township on December 22, 2015 ("Bond Ordinance No. 4500-15"), is no longer necessary for the purposes for which the obligations previously were authorized.

Section 2. The \$1,396,007.38 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39, from Bond Ordinance No. 4500-15 is hereby reappropriated to provide funding for the road elevation and drainage project located at Broad Street and 5th Avenue in the Township, and including all work and services necessary therefor or incidental thereto.

Section 3. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing ordinance was duly introduced and passed upon first reading at a regular meeting of the Township Council of the Township of Toms River, in the County of Ocean, New Jersey, held on August 24, 2021. Further notice is hereby given that said ordinance will be considered for final passage and

adoption, after public hearing thereon, at a regular meeting of said Township Council to be held in the Municipal Offices, 33 Washington Street, Toms River, New Jersey on September 14, 2021 at 6 o'clock p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Township Clerk's Office in the Municipal Building to the members of the general public who shall request the same.

Alison Carlisle, Township Clerk

NOTICE OF ADOPTION OF ORDINANCE

PUBLIC NOTICE IS HEREBY GIVEN that the ordinance published herewith has been finally adopted by the Township Council of the Township of Toms River, in the County of Ocean, New Jersey on September 14, 2021, and the 20-day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this notice.

Alison Carlisle, Township Clerk

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

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

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

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

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

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

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

A motion was made by Council Member Huryk, 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 CHAPTER 383 (PARKS, MUNICIPAL) OF THE TOWNSHIP CODE TO ESTABLISH RULES AND REGULATIONS GOVERNING THE TOMS RIVER SKATEPARK

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

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

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

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

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

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

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

CONSENT AGENDA

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

A motion was made by Council Member Huryk, seconded by Council Member Maruca and carried with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council President Geoghegan voting yes, and with Council Member Rodrick absent, to approve all the following items listed on the Consent Agenda.

RESOLUTION

SEPTEMBER 14, 2021

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

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
CORELOGIC	411	83	-C0120 2021/3	\$2,536.13
LERETA LLC	832	25	2021/3	\$1,041.24
LERETA LLC:	235.30	5	2021/3	\$2,096.27
TOTALS:				\$5,673.64

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

SEPTEMBER 14, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTIES BECAME CONSOLIDATED PROPERTIES.

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
EMILAND ARLENE MENY	1031	6	2021/4	\$8,155.38

NOBILITY CREST AT DOVER, LLC	166	3.01	2021/4	\$1,702.05
8 7TH AVENUE CONDO ASSOC INC	1026	23	2021/4	\$4,597.68
TOTALS:				\$14,455.11

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

SEPTEMBER 14, 2021

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
ANDERSEN, GLENN	571.69	6	2021/3	\$1,469.02

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

SEPTEMBER 14, 2021

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual, Year</i>	<i>Amount</i>
CORELOGIC	411.36	1	2021/3	\$60.00
CORELOGIC	413.04	4	2021/3	\$3,826.23
CORELOGIC	414	7	-C2030 2021/3	\$11.04
CORELOGIC	414	12.06	2021/3	\$2,589.59
CORELOGIC	443.35	10	2021/3	\$1,699.79
CORELOGIC	444.17	1	2021/3	\$1,161.13
CORELOGIC	507.34	11	2021/3	\$1,385.69
CORELOGIC	572	22	2021/3	\$1,374.93
CORELOGIC	687.04	6	2021/3	\$5,403.74
CORELOGIC	692	19	2021/3	\$13.64
CORELOGIC	796.06	26	2021/3	\$913.31
CORELOGIC	833	38	2021/3	\$1,170.57
CORELOGIC	920.02	11	2021/3	\$2,195.21
CORELOGIC	922.01	41	2021/3	\$25.67

CORELOGIC	980	43	2021/3	\$20.78
CORELOGIC	1001	178	2021/3	\$39.67
CORELOGIC	1036	20	2021/3	\$2,507.82
CORELOGIC	1076.12	95	2021/3	\$2,362.52
CORELOGIC	1462.07	9	2021/3	\$3,667.70
TOTAL:				\$30,429.03

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

SEPTEMBER 14, 2021

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO HOME OWNER SOLD THE PROPERTY, AND HAD AN AUTOMATIC WITDRAWL, AND FAILED TO NOTIFY THE TAX COLLECTOR TO DISCONTINIUE THE DIRECT WITHDRAWL, NOW MONIES MUST BE REFUNDED TO THE PRIOR OWNER; AND;

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
ROSENTHAL, RITA	192.52	18	2021/3	\$1,077.62

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

SEPTEMBER 14, 2021

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

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

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

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

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

<i>NAME</i>	<i>BLOCK</i>	<i>LOT</i>	<i>Qual,Year</i>	<i>Amount</i>
CORELOGIC	61.01	13	2021/3	\$2,490.41
CORELOGIC	61.01	25	2021/3	\$2,422.43
CORELOGIC	61.01	26	2021/3	\$2,782.48
CORELOGIC	165	1.02	2021/3	\$3,872.02
CORELOGIC	166	3.01	-C1906 2021/3	\$30.69
CORELOGIC	172.01	2	2021/3	\$1,813.64
CORELOGIC	192.01	39	2021/3	\$401.44
CORELOGIC	192.23	17	2021/3	\$463.54
CORELOGIC	192.28	55	2021/3	\$435.94
CORELOGIC	232.02	12	2021/3	\$3,565.92
CORELOGIC	232.24	23	2021/3	\$2,644.49

<i>CORELOGIC</i>	<i>232.27</i>	<i>25.03</i>	<i>2021/3</i>	<i>\$2,312.67</i>
<i>CORELOGIC</i>	<i>235.17</i>	<i>12</i>	<i>2021/3</i>	<i>\$3,143.15</i>
<i>CORELOGIC</i>	<i>400.07</i>	<i>7</i>	<i>2021/3</i>	<i>\$998.85</i>
<i>CORELOGIC</i>	<i>410</i>	<i>15.01</i>	<i>2021/3</i>	<i>\$1,464.63</i>
<i>CORELOGIC</i>	<i>410</i>	<i>65.06</i>	<i>2021/3</i>	<i>\$2,855.24</i>
<i>CORELOGIC</i>	<i>410.03</i>	<i>31.06</i>	<i>2021/3</i>	<i>\$2,292.60</i>
<i>CORELOGIC</i>	<i>410.05</i>	<i>12</i>	<i>2021/3</i>	<i>\$2,404.25</i>
<i>CORELOGIC</i>	<i>166</i>	<i>3.01</i>	<i>-C0306</i> <i>2021/3</i>	<i>\$1,703.61</i>
TOTAL:				\$38,098.00

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, AUTHORIZING AN AMENDMENT TO PO 21-02029 TO COLLIERS ENGINEERING & DESIGN, INC., TO INCREASE THE SCOPE OF WORK FOR THE ADDITIONAL STORMWATER INFRASTRUCTURE TO COMPLY WITH RECENTLY APPROVED NJDEP STORMWATER REGULATIONS, RELATED TO THE EXPANSION OF THE TOMS RIVER POLICE DEPARTMENT, FOR A TOTAL AMOUNT NOT TO EXCEED \$18,400.00

SEPTEMBER 14, 2021

WHEREAS, resolution of the Township Council dated November 12, 2019, authorized Colliers Engineering & Design Inc., previously known as Maser Consulting, PA, to perform up to \$224,070.00 in professional services consisting of assisting the Engineering Division in the Design of Various Towers for the Police Digital Trunked Radio System Project; and

WHEREAS, resolution of the Township Council dated December 23, 2019 authorized Colliers Engineering & Design, Inc., (previously known as Maser Consulting, PA), to perform up to \$68,330.00 in professional services consisting of assisting the Engineering Division in the Design of Site Improvements for the Police Department, including but not limited to Parking, Radio Tower addition, and CAFRA permitting; and

WHEREAS, resolution of the Township Council dated June 9, 2021 authorized an amendment to PO-02029 to Colliers Engineering & Design, Inc., previously known as

Maser Consulting, PA, for various additional design service related to the expansion of the Toms River Police Department facilities on Oak Avenue and improvements to the Township's Radio Communications System, for a total fee not to exceed \$9,400.00, and for the Township's Digital Trunked Radio System project, for a total fee not to exceed \$89,496.50, for a total maximum contract amount not to exceed \$98,896.50; and

WHEREAS, in order to comply with the incompleteness letter issued by CAFRA dated July 7, 2021, additional work is required; and

WHEREAS, Colliers Engineering & Design, Inc. submitted a proposal dated August 13, 2021, Proposal No. TRT-005, for additional professional services related to the CAFRA Permit Resubmittal for the expansion of the Toms River Police Department, in the total amount not to exceed \$18,400.00; and

WHEREAS, the increase scope of work involves Colliers Engineering & Design Inc., (DBA Maser Consulting) assisting the Engineering Division for the additional stormwater infrastructure to comply with recently approved NJDEP stormwater regulations;

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

1. It hereby authorizes an amendment to PO 21-02029 to Colliers Engineering & Design, Inc. to increase the scope of work for the additional stormwater infrastructure to comply with recently approved NJDEP stormwater regulations, and the CAFRA Permit Resubmittal, related to the expansion of the Toms River Police Department, for a total amount not to exceed \$18,400.00.

2. Colliers Engineering & Design, Inc. (DBA Maser Consulting) will provide additional professional services, in accordance with Proposal No. TRT-005 dated August 13, 2021. The Business Terms and Conditions of the original Contract with the Township shall still apply.

3. Funds in the amount of \$18,400.00 are available in the Account No.: X-04- -243-006.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Township Engineer
- e) Toms River Police Department
- f) Colliers Engineering & Design, Inc.
DBA Maser Consulting
331 Newman Springs Road
Suite 203
Red Bank, New Jersey 07701

CERTIFICATION

THIS IS TO CERTIFY that the funds for the additional professional services by Colliers Engineering & Design, Inc., previously known as Maser Consulting, PA, in the amount not to exceed \$18,400.00, are available in Account No.: X-04- -243-006.

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 14, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF AN OPEN-ENDED CONTRACT FOR THE SUPPLY OF POOL CHEMICALS FOR SNUG HARBOR POOL, TO MIRACLE CHEMICAL COMPANY, AS THE SOLE BIDDER MEETING ALL THE BID SPECIFICATIONS

SEPTEMBER 14, 2021

WHEREAS, bids were invited for the Supply of Pool Chemicals for Snug Harbor Pool; and

WHEREAS, one bid was received on August 25, 2021, as follows:

Miracle Chemical Company
1151 B Highway #33
Farmingdale, NJ 07727

<u>No</u>	<u>Description</u>	<u>Brand</u>	<u>Est Qty</u>	<u>Unit Price</u>
1	Hypochlorite Solution 15%. Quick-connect system for delivery in mini-bulk. Extra length hose may be required. Average delivery range 75-200 gallons. Delivery must be on a weekly basis		600-2000 gal per season	/gal. delivered
	<i>Per gallon price required:</i>	<u>Buckman's Inc</u>		<u>4.175</u>
2	Chlorine stabilizer & water conditioner minimum 99% isocyanuric acid, 100% soluble, minimum 100 lb. pail or drum:	<u>N/A</u>	2 drums	<u>N/A</u>
3	Muriatic Acid, 5 gal containers	<u>Buckman's Inc</u>	10 containers	<u>\$39.50</u> per cont delivered
4	Sparkle Conquest (no substitutions) Quart bottle containers	<u>Alden Leads, Inc</u>	20 containers	<u>\$47.99</u> per quart delivered

Item No. 2 received no bid and will not be rebid. Quotes will be obtained prior to purchase.

WHEREAS, the bid has been reviewed by the Purchasing Division and the Recreation Department, and recommendation has been made to award a contract to Miracle Chemical Company, as the sole bidder meeting all the 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 an open-ended contract for the Supply of Pool Chemicals for Snug Harbor Pool to Miracle Chemical Company, as sole bidder_meeting all the specifications, as follows:

Miracle Chemical Company
 1151 B Highway #33
 Farmingdale, NJ 07727

<u>No</u>	<u>Description</u>	<u>Brand</u>	<u>Est Qty</u>	<u>Unit Price</u>
1	Hypochlorite Solution 15%. Quick-connect system for delivery in mini-bulk. Extra length hose may be required. Average delivery range 75-200 gallons. Delivery must be on a weekly basis			
	<i>Per gallon price required:</i>	<u>Buckman's Inc</u>	600-2000 gal per season	<u>4.175</u> /gal. delivered
2	Chlorine stabilizer & water conditioner minimum 99% isocyanuric acid, 100% soluble, minimum 100 lb. pail or drum:	<u>N/A</u>	2 drums	<u>N/A</u>
3	Muriatic Acid, 5 gal containers	<u>Buckman's Inc</u>	10 containers	<u>\$39.50</u> per cont delivered
4	Sparkle Conquest (no substitutions) Quart bottle containers	<u>Alden Leads, Inc</u>	20 containers	<u>\$47.99</u> per quart delivered

2. Item No. 2 received no bid and will not be rebid. Quotes will be obtained prior to purchase.

3. The Term of Contract shall be effective September 25, 2021 through September 24, 2022. The award of this contract is subject to all the terms and conditions of the bid specifications. 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 year. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Recreation Department
- e) Miracle Chemical Company
 1151 B Highway #33
 Farmingdale, NJ 07727

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Miracle Chemical Company for the supply of pool chemicals for Snug Harbor Pool, are contingent upon the availability of funds in the appropriate municipal budget.

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

JUDITH TUTELA
 CHIEF FINANCIAL OFFICER

Dated: September 14, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR MICROFILM SERVICES FOR THE OFFICE OF CONSTRUCTION & INSPECTION SERVICES, TAX COLLECTOR, AND VARIOUS DEPARTMENTS, AS NEEDED, TO ALTERNATIVE MICROGRAPHICS INC., AS THE LOWEST OVERALL RESPONSIBLE BIDDER, MEETING ALL THE BID SPECIFICATIONS, FOR A TWO YEAR TERM, EFFECTIVE SEPTEMBER 26, 2021 THROUGH SEPTEMBER 25, 2023

SEPTEMBER 14, 2021

WHEREAS, bids were invited for Microfilm Services for the Office of Construction & Inspection Services, Tax Collector and various departments, as needed; and

WHEREAS, bids were received on August 18, 2021, as follows:

Alternative Micrographics, Inc.
704 Challenger Way
Forked River, N.J. 08731

ACCSES NJ, INC.
150 W. State St., Suite 120
Trenton, NJ 08608

WHEREAS, the bids have been reviewed by the Purchasing Division, and recommendation has been made to award an open-ended contract to Alternative Micrographics Inc., as the lowest overall responsible bidder, meeting all 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 an open-ended contract for Microfilm Services for the Office of Construction & Inspection Services, Tax Collector and various departments, as needed, to Alternative Micrographics Inc., as the lowest overall responsible bidder, meeting all the bid specifications. The contract term shall be for two (2) years, effective September 26, 2021 through September 25, 2023.

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

3. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one (1) 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.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Building Department
- e) Tax Collector
- f) Alternative Micrographics Inc.

September 14, 2021 21

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Alternative Micrographics Inc., are contingent upon the availability of funds in the appropriate municipal budget each time an order is placed.

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 14, 2021

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED
CONTRACT FOR THE SUPPLY OF MOTOR OILS, ANTIFREEZE, GREASES AND
LUBRICANTS REBID ITEM NUMBER 30a, TO ROMEO ENTERPRISES, AS THE SOLE
RESPONSIBLE BIDDER MEETING ALL OF THE SPECIFICATIONS FOR THAT ITEM**

SEPTEMBER 14, 2021

WHEREAS, the Division of Purchasing requests authorization to award an open-ended contract for the Supply of Motor Oils, Antifreeze, Greases and Lubricants rebid Item Number 30a; and

WHEREAS, bids were first invited on June 24, 2021, and awarded on July 27, 2021, where Item Numbers 1b, 2b, 3b, 4a, 6d-e, 7a, 15a, 19a, 21c, 30a and 31a received bids and were rejected because the specifications were not met and were to be rebid; and

WHEREAS, Item Number 21 was rejected because the specifications were not met and will not be rebid. Item Number 23a received no bid and will not be rebid because this item has not been ordered in several years and there is no longer a need for this item per the using department; and

WHEREAS, Item Numbers 1b, 2b, 3b, 4a, 6d-e, 7a, 15a, 19a, 21c, 30a and 31a were rebid on August 11, 2021. One bidder, Romeo Enterprises, 35 Dunbar Ave., Piscataway, NJ, 08854, bid on Item 30a; and

WHEREAS, based on NJSA 40A:11-5(3)(a), prices were negotiated with vendors Petro Choice Holdings LLC and BWE LLC d/b/a Brenntag Lubricants. Petro Choice responded that they would not be able to bid on the latest proposal due to product allocations and scarcity of goods. BWE did not respond;

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

1. It hereby awards an open-ended contract to Romeo Enterprises for Item Number 30a as the sole responsible bidder meeting all of the specifications for that item.
2. Quotes will be obtained prior to purchase for Item Numbers 1b, 2b, 3b, 4a, 6d-e, 7a, 15a, 19a, 21c and 31a.

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3. Term of Contracts shall be retroactive to August 22, 2021, through August 21, 2022. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The award of these contracts is subject to all the terms and conditions of the bid specifications

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Bey Lea Golf Course
- f) Romeo Enterprises
35 Dunbar Ave.
Piscataway, NJ 08854

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contract awarded to Romeo Enterprises for the Supply of Motor Oils, Antifreeze, Greases and Lubricants rebid Item Number 30a, are contingent upon the availability of funds in the appropriate municipal budget year.

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 14, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, REQUESTING AUTHORIZATION TO REJECT AND REBID CONTRACTS FOR VEHICLE COLLISION REPAIRS

SEPTEMBER 14, 2021

WHEREAS, bids were invited on August 25, 2021, for Vehicle Collision Repairs; and

WHEREAS, one bid was received from Jackson Auto Body/Vehicle Collision Repairs, 133 E. Commodore Blvd., Jackson, New Jersey, 08527; and

WHEREAS, after opening the bid, it was determined that it is in the best interest of the Township to reject the bid from Jackson Auto Body/Vehicle Collision Repairs, revise the specifications, and rebid this contract pursuant to N.J.S.A. 40A:11-13.2.d;

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 is in the best interest of the Township to reject the bid from Jackson Auto Body/Vehicle Collision Repairs, revise the specifications, and rebid this contract pursuant to N.J.S.A. 40A:11-13.2.d.

2. The appropriate Township Officials are hereby authorized to rebid for this purchase.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) TRMUA
- f) TRBOE
- g) Jackson Auto Body/Vehicle Collision Repairs
133 E. Commodore Blvd.
Jackson, New Jersey 08527

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD
OF OPEN-ENDED CONTRACTS TO CENTRAL POLY-BAG CORP. AND
INTERBORO PACKAGING FOR THE SUPPLY OF POLYLINERS**

SEPTEMBER 14, 2021

WHEREAS, bids were invited for the Supply of Polyliners; and

WHEREAS, bids were received on August 18, 2021 from the following vendors:

Central Poly-Bag Corp	Interboro Packaging	Glopak Corporation
2400 Bedle Place	114 Bracken Road	132 Case Drive
Linden, NJ 07036	Montgomery, NY 12549	South Plainfield, NJ 07080

WHEREAS, the bids have been reviewed by the Division of Purchasing and it is recommended that contracts be awarded to Central Poly-Bag Corp. and Interboro Packaging, as the lowest bidders, meeting all of the bid specifications, as follows:

Central Poly-Bag Corp. – for Item Numbers: 6, 7, 9, 10 and 12.

Interboro Packaging – for Item Numbers: 1-5, 8 and 11.

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 contracts for the Supply of Polyliners to Central Poly-Bag Corp. and Interboro Packaging, as the lowest bidders, meeting all of the bid specifications, as follows:

Central Poly-Bag Corp. – for Item Numbers: 6, 7, 9, 10 and 12.

Interboro Packaging – for Item Numbers: 1-5, 8 and 11.

2. Term of Contracts shall be effective from September 25, 2021 through September 24, 2022. These contracts shall be open-ended with funds being encumbered

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each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. The award of these contracts are subject to all the terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) All Departments
- e) Central Poly-Bag Corp.
2400 Bedle Place
Linden, NJ 07036
- f) Interboro Packaging
114 Bracken Road
Montgomery, NY 12549

CERTIFICATION

THIS IS TO CERTIFY that the funds for the open-ended contracts awarded to Central Poly-Bag Corp. and Interboro Packaging, are contingent upon funds being encumbered each time an order is place contingent upon the availability of funds in the appropriate municipal budget.

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 14, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR CONSULTING SERVICES TO ASSIST IN SECURING CALEA STATE ASSOCIATION OF CHIEF OF POLICE ACCREDITATION FOR THE TOMS RIVER POLICE DEPARTMENT, TO THE RODGERS GROUP, LLC, AS THE SOLE BIDDER MEETING ALL THE BID SPECIFICATIONS, IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$39,900.00

SEPTEMBER 14, 2021

WHEREAS, the Township of Toms River requires authorization to award a contract for consulting services to assist in securing Calea State Association of Chief of Police Accreditation for the Toms River Police Department; and

WHEREAS, bids were solicited on August 25, 2021, and one proposal was received as follows:

Vendor:

Rates:

The Rodgers Group, LLC

Accreditation Consultation Assistance - \$39,900.00

September 14, 2021 25

PO Box 831
Island Heights, NJ 08732

Payable in 12 monthly installments of \$3,325.00.
Additional fees on file.

WHEREAS, the proposal has been reviewed by the Division of Purchasing and the Police Department, and they have recommended that a contract be awarded to The Rodgers Group, LLC, as the sole bidder, meeting all of the bid specifications, in a total contract amount not to exceed \$39,900.00;

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 consulting services to assist in securing Calea State Association of Chief of Police Accreditation for the Toms River Police Department to The Rodgers Group, LLC, PO Box 831, Island Heights, NJ, 08732, as the sole bidder meeting all the bid specifications, for a total contract amount not to exceed \$39,900.00.

2. The term of this contract shall be effective September 14, 2021 through September 13, 2022. The award of this contract is subject to all the terms and conditions of the bid specifications.

3. Funds in the amount not to exceed \$39,900.00 are available in Account No. 1-01- -P45-534.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Purchasing Division
- f) Police Department
- g) The Rodgers Group, LLC
PO Box 831
Island Heights, NJ 08732

CERTIFICATION

THIS IS TO CERTIFY that the funds for consulting services to assist in securing Calea State Association of Chief of Police Accreditation for the Toms River Police Department awarded to The Rodgers Group, LLC, are available in Account No. 1-01- -P45-534.

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: Sept 14, 2021

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE SEALED PROPOSALS FOR PAYROLL AND HUMAN RESOURCES SERVICES FOR THE TOWNSHIP OF TOMS RIVER, USING A COMPETITIVE CONTRACTING PROCESS

SEPTEMBER 14, 2021

September 14, 2021 26

WHEREAS, that the Purchasing Division is requesting authorization to advertise and receive sealed proposals for Payroll and Human Resources Services for the Township of Toms River, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 et seq.;

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 Purchasing Division is hereby authorized to advertise and receive sealed proposals for Payroll and Human Resources Services for the Township of Toms River, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 et seq.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Township Clerk
- d) Purchasing Division
- e) Chief Financial Officer
- f) Township Attorney
- g) Human Resources

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND LORCO PETROLEUM SERVICES, FOR THE COLLECTION AND DISPOSAL OF WASTE OIL RECEIVED AT THE MUNICIPAL RECYCLING CENTER, PUBLIC WORKS GARAGE, AND THE BEY LEA MAINTENANCE SHOP, IN AN ADDITIONAL AMOUNT OF \$6,000.00, MAKING THE TOTAL CONTRACT NOT TO EXCEED \$11,000.00

SEPTEMBER 14, 2021

WHEREAS, by resolution dated December 8, 2020, the Township of Toms River Council entered into an agreement with Lorco Petroleum Services for the collection and disposal of waste oil received at the Municipal Recycling Center, Public Works Garage and the Bey Lea Maintenance Shop, in a total contract amount not to exceed \$5,000.00; and

WHEREAS, the Division of Purchasing has determined that the agreement for the collection and disposal of waste oil received at the Municipal Recycling Center, Public Works Garage and the Bey Lea Maintenance Shop, must be amended to add an additional \$6,000.00, making the contract total not to exceed \$11,000.00; 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. It amends the agreement with Lorco Petroleum Services for the collection and disposal of waste oil received at the Municipal Recycling Center, Public Works Garage and the Bey Lea Maintenance Shop, in the additional amount of \$6,000.00, making the contract total not to exceed \$11,000.00.

2. A copy of the Amended Agreement is attached as Schedule "A" and made a part of this Resolution.

3. This contract is to be open-ended with funds being encumbered upon the availability in the appropriate municipal budgets. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

4. All remaining provisions of the agreement between the Township of Toms River and Lorco Petroleum Services not amended, modified or otherwise affected by this Resolution, shall remain in full force and effect.

5. A notice of this allocation shall be published once within 10 days of the date of this Resolution, 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) Chief Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Bey Lea Golf Course
- f) Division of Parks, Buildings and Grounds
- g) Public Works
- h) Lorco Petroleum Services
450 South Front Street
Elizabeth, NJ 07202

SCHEDULE "A" – See Attachments

CERTIFICATION

THIS IS TO CERTIFY that the funds for the amendment to the agreement with Lorco Petroleum Services for the Collection and Disposal of Waste Oil received at the Municipal Recycling Center, Public Works Garage and Bey Lea Maintenance Shop, in the additional amount of \$6,000.00, for a total not to exceed \$11,000.00, will be open-ended with funds being encumbered each time service is required, contingent upon availability in the appropriate municipal budgets.

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

JUDITH TUTELA
CHIEF FINANCIAL OFFICER

Dated: September 14, 2021

**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 A BANK CARD MERCHANT AGREEMENT WITH
WORLDPAY, LLC, FOR CREDIT CARD PROCESSING OF TAX PAYMENTS**

SEPTEMBER 14, 2021

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

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Bank Card Merchant Agreement with Worldpay, LLC, for credit card processing of tax payments. This agreement shall be on a month to month basis, unless either party gives written notice to the other party at least 60 days prior to the expiration of any term. A copy of the Agreement is attached to this resolution as Schedule "A", and made a part hereof. A copy of the Agreement will be kept on file in the Office of the Township Clerk upon its execution.

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

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

SCHEDULE "A" – See Attachments

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

SEPTEMBER 14, 2021

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) Chief Financial Officer

- d) Tax Collector
- e) Township Attorney
- f) Housing & Property Maintenance
- g) Code Enforcement
- h) Director, Parks, Buildings & Grounds
- i) Melanie Yost
106 Dickinson Avenue
Toms River, NJ 08753
- j) Mr. Cooper c/o Pemco Limited
820 Bear Mountain Road
West Trenton, NJ 08628
- k) Dover Shopping Center Assoc. LLC
222 Haddon Avenue #301
Haddon Township, NJ 08108
- l) Silver Ridge, LLC
569 Lakehurst Road
Toms River, NJ 08755
- m) Nicholas Fazio c/o Ronald Fazio
82 Hillcrest Drive
Wayne, NJ 07470
- n) Kenneth Dohn II
611 Buermann Avenue
Toms River, NJ 08753
- o) Shellpoint Mortgage Servicing
27720 Jefferson Avenue, Suite #210
Temecula, CA 92590
- p) Michael Kirwan & Ann Priest
1202 Whittier Avenue
Toms River, NJ 08753
- q) Melanie Yost
106 Dickinson Avenue
Toms River, NJ 08753
- r) Nicholas Fazio c/o Ronald Fazio
82 Hillcrest Drive
Wayne, NJ 07470
- s) JA Green & ME Suckow
329 Cokes Drive
Toms River, NJ 08753
- t) JA Green & ME Suckow
329 Cokes Drive
Toms River, NJ 08753
- u) Kyle Stanley
25 Metedeconk Road
Brick, NJ 08723
- v) North River Group, Inc.
PO Box 5110
Toms River, NJ 08754
- w) CAPC NJ Asset Stabilization Fund #1
108 Church Street, Floor 3
New Brunswick, NJ 08901

SCHEDULE "A"

CERTIFICATION OF COSTS

	<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY ADDRESS</u>	<u>TOTAL</u>
1.	1093.01	4	106 Dickinson Ave.	\$539.08
2.	1093.05	12	118 Flack Street	\$350.43
3.	364.02	46	3 Clayton Avenue	\$512.65
4.	507.44	5	569 Lakehurst Road	\$813.45
5.	405.11	52	1079 California Court	\$1,127.23

6.	818	26	611 Buermann Ave.	\$813.04
7.	192.04	33	2300 Hovsons Blvd.	\$875.49
8.	709	275	1202 Whittier Ave.	\$821.63
9.	1093.01	4	106 Dickinson Ave.	\$847.31
10.	405.11	52	1079 California Court	\$633.96
11.	571.10	31	329 Cokes Drive	\$2,436.68
12.	571.10	31	329 Cokes Drive	\$546.88
13.	845	16	632 McKinley Ave.	\$1,075.52
14.	165	10.09	1036 Hickory Street	\$568.79
15.	290	1	23 Longman Street	\$823.67

***If there are any questions concerning the work/labor liens, please

contact Craig Ambrosio at 732-341-1000 Ext. 8417. Thank you***

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 192.58, LOT 65 (1722 Silverton Road)

September 14, 2021

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 192.58, Lot 65.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety & Stabilization Guarantee.
- 2) Check in the amount of \$2,115.00 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 Ocean County Memorial Park Association, 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. Ocean County Memorial Park Association
1722 Silverton Road
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING MAINTENANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS ADELAIDE ASSOCIATES, LLC, BLOCK 659, LOT 1 AND 3. (36 Hyers Street)

September 14, 2021

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan, known as Adelaide Associates, Block 659, Lot 1 & 3.

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

- 1) Maintenance Surety Bond # B1218738 in the amount of \$750.00 is hereby released;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Adelaide Associates, LLC
231 Main Street, PO Box 2017
Toms River, NJ 08754

RESOLUTION AUTHORIZING THE REPLACEMENT OF THE DEPUTY CHIEF FINANCIAL OFFICER, DENISE WAHLERS WITH THE CHIEF FINANCIAL OFFICER, JUDITH L TUTELA TO SIGN CHECKS FOR ALL SUMS OF MONEY TO BE PAID BY THE TOWNSHIP OF TOMS RIVER

SEPTEMBER 14, 2021

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

1. It hereby replaces Deputy Chief Financial Officer, Denise Wahlers with the Chief Financial Officer, Judith L. Tutela to sign checks for all sums of money to be paid by the Township of Toms River in the year 2021 effective September 2021.

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

- a. Attorney
- b. Mayor
- c. Business Administrator
- d. Township Clerk
- e. Chief Financial Officer
- f. Township Auditor

CORRECTING RESOLUTION AUTHORIZING THE PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE 1507-33-021-007 FROM GINGER GODDARD, TO SCE INVESTORS, LLC.

SEPTEMBER 14, 2021

WHEREAS, an application has been filed for PERSON-TO-PERSON TRANSFER for Plenary Retail Consumption License Number 1507-33-021-007, heretofore issued to Ginger Goddard, Trustee. And

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

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

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

1. It hereby does authorize the Person-to-Person Transfer of Plenary Retail Consumption Liquor License Number 1507-33-021-007 from Ginger Goddard, Trustee, to SCE Investors, LLC. With a mailing address of : 1861 Hooper Avenue Suite 8 Toms River, New Jersey, 08753.

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

- a) Police Department
- b) Chief Financial Officer
- c) Township Attorney
- d) NJ Division of Taxation
PO Box 999
Trenton, NJ 08646-0999
- e) SCE Investors, LLC
1861 Hooper Ave
Toms River, NJ 08753

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO ADVERTISE AND RECEIVE SEALED PROPOSALS FOR AN OPIOID RESPONSE TEAM FOR THE TOMS RIVER POLICE DEPARTMENT USING A COMPETITIVE CONTRACTING PROCESS

SEPTEMBER 14, 2021

WHEREAS, the Purchasing Division is requesting authorization to advertise and receive sealed proposals for an Opioid Response Team for the Toms River Police Department, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 et seq.;

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 Purchasing Division is hereby authorized to advertise and receive sealed proposals for an Opioid Response Team for the Toms River Police Department, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.1 et seq.

2. This contract will be funded by the Comprehensive Opioid Abuse Program Grants.

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

- a) Mayor Maurice B. Hill, Jr.
- b) Township Council
- c) Township Clerk
- d) Purchasing Division
- e) Chief Financial Officer
- f) Township Attorney
- g) Police Department

REPORTS

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

	2021	2020
Bey Lea Golf Course – August	\$216,792.03	\$265,369.95
Bey Lea Golf Course – YTD through August	\$1,236,405.06	\$960,638.23
Winding River Ice Rink – August	\$50,178.00	\$8,612.00
Winding River Ice Rink – YTD through August	\$502,223.23	\$338,046.50
Building Permits - August	\$189,499.00	\$255,046.00
Building Permits – YTD through August	\$2,113,342.00	\$1,772,892.00
Beach Badges – Weeks 10-14	\$691,138.00	\$590,797.00
Pool Badges – Weeks 20-24	\$88,867.00	\$53,309.00

APPROVAL OF BILLS

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **September 9, 2021**, was approved on motion by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council President Geoghegan voting yes, and with Council Member Rodrick absent. **The following respective exceptions to their votes were noted as abstentions to this vote:**

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

Purchase Order 21-04596 payable to Silverton First Aid Squad, Inc., in the amount of \$51,382.62.

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

Purchase Order 21-04763, payable to NJ Motor Vehicle Commission in the amount of \$60.00.

Purchase Order 21-04585, payable to NJ MVC Lease Program in the amount of \$3,160.00.

Purchase Order 21-04838, payable to NJ MVC Lease Program in the amount of \$15,085.00.

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

Purchase Order 20-00569, 21-04174, 21-04560, 21-04561, 21-04562 & 21-04709, payable to Remington & Vernick Engineers in the amount of \$15,658.03.

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

Purchase Order 21-04175, 21-04245, 21-04611, 21-04646, 21-04671. 21-04751, 21-04752. 21-04753. & 21-04760, payable to Owen Little & Associates Inc., in the amount of \$26,475.75.

Council Member Lotano - NONE

Council Member Rodrick - absent:

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

Purchase Order 21-00653 & 21-04250, payable to Citta, Holzapfel, Zabarsky in the amount of \$6,650.00.

Purchase Order 21-04585 & 21-04838, payable to Magistrate Salaries in the amount of \$6,937.41.

ELECTED OFFICIALS COMMENTS

Councilman Kopp thanked parents, coaches and player of TRELL for a great season, and Comfort Food Festival this weekend.

Councilwoman Huryk congratulated TRELL, parents and coaches; Exit 82 “Julius Caesar” this weekend, and 911 Ceremony.

Councilwoman Maruca thanked Fire Company #1 for a touching ceremony for 9-11. Congratulations to TRELL; and Ocean County Columbus Day Parade and festival on October 9 and 10th.

Councilman Lotano congratulated Little League Team; September is Suicide Prevention Month; 9-11 Memorial and Paddle Board race this weekend.

Councilman Turnbach congratulated TRELL success; thanks to “A Need We Feed/Gary Morrison of Battle River Brewery; and Food Distribution Updates.

Councilman Geoghegan congratulations to TRELL; September 22nd is Toms River Vest a Cop event; Open Space Referendum on the ballot.

Councilwoman Maruca spoke regarding 9/11 ceremony; congratulations to TRELL; thanks to Council for adopting Boy Scout parcel of land, and preserve Open Space Referendum.

PUBLIC COMMENTS

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

Jeff Horn spoke regarding Habitat for Humanity fund raiser this weekend; and Councilman Rodrick’s letter to Greenbriar residents, very misleading. Councilman Turnbach asked the Council to take action.

Frank Davis said Council should take action to protect seniors. They should not be manipulated and preyed upon.

Chris Walsh spoke regarding a similar letter sent to Lake Ridge residents.

Catherine Galito-Galisky invitation to Council and Mayor to American Legion Post 129 on October 3rd Gift auction and Psychic Fair November 27th Craft and Vendor Fair.

Daniel Kessel spoke regarding Just Believe October 2nd event, and meet on ordinance against marijuana.

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

A motion was made by Council Member Huryk, seconded by Council Member Turnbach, and carried to enter into a private Executive Session at 7:03 p.m.

A motion was made by Council Member Huryk, seconded by Council Member Turnbach 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:

Matters of Personnel
Attorney Client Privilege
Contract Negotiations

3. The following specific topics were announced.
 1. Executive Session Minutes August 10, 2021 Regular Meeting
 2. Personnel Issues
 3. Legal Review/Analysis of Medical Cannabis Issues and Cannabis Committee Recommendations.
4. It is anticipated that deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Council that the public interest will no longer be served by such confidentiality.

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

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

The Council **reconvened** the public portion at 7:53 P.M., a motion was made by Council Member Turnbach, seconded by Council Member Huryk, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council President Geoghegan voting yes, and with Council Member Rodrick absent.

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

R E S O L U T I O N A P P R O V I N G E X E C U T I V E S E S S I O N M I N U T E S

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

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

1. The following Executive Session Minutes are approved:

August 10, 2021 Regular Meeting

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

No other business appearing, the meeting was **adjourned** at 7:54 P. M., on motion with Council Member Huryk, seconded by Council Member Lotano, and carried with Council Members Huryk, Kopp, Lotano, Maruca, Turnbach, and Council President Geoghegan voting yes, and with Council Member Rodrick absent.

KEVIN GEOGHEGAN, COUNCIL PRESIDENT

ALISON CARLISLE, TOWNSHIP CLERK