

September 14, 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, and Toms River, New Jersey at 6:01 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 Council President Geoghegan voting yes, to approve the Minutes of the **Regular Meeting of August 24, 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 Council President Geoghegan voting yes, to make the following honoring proclamations a part of the Minutes.

Police Chief Little introduced and presented certificates to the following officers:

Sergeant Vincent Pedalino, Corporal Greig Errion, Officer Kris Kowalczy, Sergeant Chris McDowell, Officer Brian Appleby, and Seaside Heights Officer Robert Wasilick with Class C Awards, and Officer Kevin Oliver with a Life Saving Award, for their extraordinary actions during crucial incidents in 2022.

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

September 14, 2022

**ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AMENDING AND
SUPPLEMENTING SECTION 477-60 (SCHEDULE II: NO PARKING CERTAIN
HOURS) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP
CODE**

**(NO PARKING BOTH SIDES OF PANTZER STREET FROM 7:00 A.M. TO 3:00
P.M./SCHOOL DAYS FOR THE ENTIRE LENGTH)**

**(NO PARKING BOTH SIDES OF PANTZER COURT FROM 7:00 A.M. TO 3:00
P.M./SCHOOL DAYS FOR THE ENTIRE LENGTH)**

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

1. Section 477-60 (Schedule II: No Parking Certain Hours) of Chapter 477 (Vehicles and Traffic) of the Township Code is amended and supplemented to add the following:

NAME OF STREET	SIDES	HOURS/DAYS	LOCATION
Pantzer Court	Both	7:00 a.m. to 3:00 p.m./ school days	Entire length
Pantzer Street	Both	7:00 a.m. to 3:00 p.m./ school days	Entire length

2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency.

3. All other parts of Chapter 477 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

4. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law, and the posting of appropriate signs.

5. This ordinance is subject to the receipt by the New Jersey Department of Transportation of the duly executed certification by the Toms River Township Engineer as required by law.

A motion was made by Council Member Lotano, seconded by Council Member Kopp 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, 2022 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, 2022 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

September 14, 2022

available at the Township Clerk's office in said Municipal Building to members of the general public who shall request such copies.

MICHAEL CRUOGLIO
TOWNSHIP DEPUTY 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 16, 2022.

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

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-70, SCHEDULE XII (STOP INTERSECTIONS) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE TO ESTABLISH ADDITIONAL STOP SIGNS AT TWO INTERSECTIONS ON SILVER BEACH ROAD IN THE TOWNSHIP OF TOMS RIVER, NJ

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

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

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

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

Council Member Ciccozzi

Yes

September 14, 2022

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

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

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 477-79, SCHEDULE XXI (SPEED LIMITS) OF CHAPTER 477 (VEHICLES AND TRAFFIC) OF THE TOWNSHIP CODE, REDUCING THE SPEED LIMIT ON:

WHITTIER AVENUE - FROM 35 MILES PER HOUR TO 25 MILES PER HOUR, FOR THE ENTIRE LENGTH

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.

Council Member Ciccozzi thanked Mayor and Council Members for support.

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

CONSENT AGENDA

September 14, 2022

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

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

R E S O L U T I O N

SEPTEMBER 14, 2022

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
<i>LERETA LLC</i>	<i>427</i>	<i>22</i>	<i>2022/3</i>	<i>\$1,158.44</i>
<i>LERETA LLC</i>	<i>829</i>	<i>11</i>	<i>2022/3</i>	<i>\$1,182.16</i>
TOTALS:				\$2,340.60

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

Approved as to content:

R E S O L U T I O N

SEPTEMBER 14, 2022

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

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

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

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

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

NAME	BLOCK	LOT	Qual/Year	Amount
<i>JANATA, LACAP & HAZEN LLP</i>	<i>506.03</i>	<i>28.01</i>	<i>2020/4</i>	<i>\$3,436.86</i>
<i>JANATA, LACAP & HAZEN LLP</i>	<i>506.03</i>	<i>28.03</i>	<i>2020/4</i>	<i>\$6,507.99</i>
			<i>TOTAL:</i>	<i>\$9,944.85</i>

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

Approved as to content:

R E S O L U T I O N

SEPTEMBER 14, 2022

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) HAVE AN OVERBILL ON THEM,

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.

September 14, 2022

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
<i>7-ELEVEN INC C/O RYAN LLC</i>	<i>794.10</i>	<i>1.01</i>	<i>2022/4</i>	<i>\$ 1,546.20</i>

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

Approved as to content:

R E S O L U T I O N

SEPTEMBER 14, 2022

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY FOR THE YEAR (S) INDICATED, DUE TO PROPERTY HAD A DUPLICATE AND OR ERRONEOUS 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
<i>MARTUCCI, MICHELLE</i>	<i>1082.12</i>	<i>34</i>	<i>2022/3</i>	<i>\$747.09</i>
<i>WATSON, CHRIS</i>	<i>643</i>	<i>13.01</i>	<i>2022/3</i>	<i>\$1,583.12</i>
<i>TOTALS:</i>				<i>\$2,330.21</i>

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

September 14, 2022

Approved as to content:

RESOLUTION

September 14, 2022

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
<i>CORELOGIC</i>	<i>37</i>	<i>3</i>	<i>c3501 2022/3</i>	<i>\$1,405.59</i>
<i>CORELOGIC</i>	<i>135</i>	<i>2.02</i>	<i>c0808 2022/3</i>	<i>\$635.98</i>
<i>CORELOGIC</i>	<i>135</i>	<i>2.02</i>	<i>c2204 2022/3</i>	<i>\$691.40</i>
<i>CORELOGIC</i>	<i>135.07</i>	<i>4</i>	<i>2022/3</i>	<i>\$1,237.14</i>
<i>CORELOGIC</i>	<i>171.07</i>	<i>28</i>	<i>2022/3</i>	<i>\$2,401.00</i>
<i>CORELOGIC</i>	<i>171.1</i>	<i>37</i>	<i>2022/3</i>	<i>\$2,377.94</i>
<i>CORELOGIC</i>	<i>234.2</i>	<i>45.22</i>	<i>2022/3</i>	<i>\$1,708.22</i>
<i>CORELOGIC</i>	<i>235.06</i>	<i>1</i>	<i>2022/3</i>	<i>\$1,267.17</i>
<i>CORELOGIC</i>	<i>235.17</i>	<i>12</i>	<i>2022/3</i>	<i>\$3,495.10</i>
<i>CORELOGIC</i>	<i>235.22</i>	<i>17</i>	<i>2022/3</i>	<i>\$3,078.95</i>
<i>CORELOGIC</i>	<i>297.05</i>	<i>26</i>	<i>2022/3</i>	<i>\$2,697.52</i>
<i>CORELOGIC</i>	<i>410</i>	<i>3.03</i>	<i>2022/3</i>	<i>\$3,182.64</i>

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<i>CORELOGIC</i>	<i>412.1</i>	<i>21</i>	<i>2022/3</i>	<i>\$435.97</i>
<i>CORELOGIC</i>	<i>413</i>	<i>21.02</i>	<i>c0136 2022/3</i>	<i>\$1,647.24</i>
<i>CORELOGIC</i>	<i>414</i>	<i>7</i>	<i>c1600 2022/3</i>	<i>\$1,631.53</i>
<i>CORELOGIC</i>	<i>414</i>	<i>7</i>	<i>c2030 2022/3</i>	<i>\$366.09</i>
<i>CORELOGIC</i>	<i>507.34</i>	<i>11</i>	<i>2022/3</i>	<i>\$1,077.55</i>
<i>CORELOGIC</i>	<i>508.02</i>	<i>14</i>	<i>2022/3</i>	<i>\$1,312.89</i>
<i>CORELOGIC</i>	<i>510.05</i>	<i>5</i>	<i>2022/3</i>	<i>\$1,601.73</i>
<i>CORELOGIC</i>	<i>537</i>	<i>54</i>	<i>2022/3</i>	<i>\$867.87</i>
<i>TOTAL:</i>				<i>\$33,119.52</i>

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

Approved as to content:

RESOLUTION

SEPTEMBER 14, 2022

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) HAVE AN OVERBILL ON THEM,

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
<i>BASF CORPORATION</i>	<i>411.32</i>	<i>8</i>	<i>2022/4</i>	<i>\$1,225.78</i>
			<i>\$612.89</i>	
			<i>2022/3</i>	

September 14, 2022

			<i>\$612.89</i>	
<i>BASF CORPORATION</i>	<i>411.34</i>	<i>12</i>	<i>2022/4</i> <i>\$547.13</i> <i>2022/3</i> <i>\$547.14</i>	<i>\$1,094.27</i>
<i>SAVINO, JOSEPH & ROSANNA</i>	<i>794.44</i>	<i>6.03</i>	<i>2022/4</i> <i>\$1,288.38</i> <i>2022/3</i> <i>\$1,288.39</i>	<i>\$2,576.77</i>
<i>TOTALS:</i>				<i>\$4,896.82</i>

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

Approved as to content:

RESOLUTION

SEPTEMBER 14, 2022

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES FOR THE YEAR (S) INDICATED, DUE TO PROPERTIES BECAME TAX EXEMPT IN 2020.

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount

<i>FAMILY PLANNING CENTER OF OCEAN</i>	<i>571.64</i>	<i>61</i>	<i>-C0203 2022/1</i>	<i>\$65.51</i>

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

Approved as to content:

R E S O L U T I O N

SEPTEMBER 14, 2022

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
<i>INFO PRO LENDER SERVICES</i>	<i>506.02</i>	<i>24</i>	<i>2022/3</i>	<i>\$5,659.54</i>
<i>BERMAN, MORDECHAI & ESTIE</i>	<i>171.10</i>	<i>11</i>	<i>2022/3 \$2,675.01 2022/4 2,675.00</i>	<i>\$5,350.01</i>
<i>FIRST COMMERCE BANK</i>	<i>819</i>	<i>18</i>	<i>2022/3</i>	<i>\$1,178.66</i>
<i>LERETA LLC.</i>	<i>410</i>	<i>10.15</i>	<i>2022/3</i>	<i>\$738.42</i>
<i>CORELOGIC</i>	<i>254</i>	<i>32.02</i>	<i>2022/3</i>	<i>\$1,357.84</i>
<i>BREININGER, MARIE</i>	<i>848</i>	<i>27</i>	<i>2022/3</i>	<i>\$1,664.80</i>

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TOTALS:				\$15,949.27

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

Approved as to content:

R E S O L U T I O N

SEPTEMBER 14, 2022

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
<i>CORELOGIC</i>	<i>571.70</i>	<i>2</i>	<i>2022/3</i>	<i>\$1,384.61</i>
<i>CORELOGIC</i>	<i>571.72</i>	<i>28</i>	<i>2022/3</i>	<i>\$2,123.29</i>
<i>CORELOGIC</i>	<i>647</i>	<i>4</i>	<i>-C0304</i> <i>2022/3</i>	<i>\$763.93</i>
<i>CORELOGIC</i>	<i>692.04</i>	<i>3</i>	<i>2022/3</i>	<i>\$2,158.85</i>
<i>CORELOGIC</i>	<i>718</i>	<i>516</i>	<i>2022/3</i>	<i>\$2,249.58</i>
<i>CORELOGIC</i>	<i>724.10</i>	<i>173</i>	<i>2022/3</i>	<i>\$399.21</i>

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<i>CORELOGIC</i>	<i>724.80</i>	<i>32</i>	<i>-C0319</i> <i>2022/3</i>	<i>\$718.54</i>
<i>CORELOGIC</i>	<i>724.92</i>	<i>31</i>	<i>2022/3</i>	<i>\$1,230.77</i>
<i>CORELOGIC</i>	<i>752</i>	<i>17.02</i>	<i>2022/3</i>	<i>\$1,542.73</i>
<i>CORELOGIC</i>	<i>794.26</i>	<i>7</i>	<i>2022/3</i>	<i>\$1,157.14</i>
<i>CORELOGIC</i>	<i>796.06</i>	<i>26</i>	<i>2022/3</i>	<i>\$1,003.36</i>
<i>CORELOGIC</i>	<i>801</i>	<i>16.01</i>	<i>2022/3</i>	<i>\$511.94</i>
<i>CORELOGIC</i>	<i>803</i>	<i>17</i>	<i>2022/3</i>	<i>\$1,072.20</i>
<i>CORELOGIC</i>	<i>831</i>	<i>28</i>	<i>2022/3</i>	<i>\$557.49</i>
<i>CORELOGIC</i>	<i>998</i>	<i>35</i>	<i>2022/3</i>	<i>\$4,200.63</i>
<i>CORELOGIC</i>	<i>1011</i>	<i>11</i>	<i>-C0102</i> <i>2022/3</i>	<i>\$3,448.05</i>
<i>CORELOGIC</i>	<i>1080.18</i>	<i>16.02</i>	<i>2022/3</i>	<i>\$1,141.89</i>
<i>CORELOGIC</i>	<i>1108.10</i>	<i>196.03</i>	<i>2022/3</i>	<i>\$6,836.43</i>
<i>CORELOGIC</i>	<i>1110.19</i>	<i>19</i>	<i>2022/3</i>	<i>\$342.03</i>
<i>TOTAL:</i>				<i>\$32,842.67</i>

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

Approved as to content:

September 14, 2022

**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 413,
LOT 21.02, QUALIFIER C0104, EFFECTIVE JUNE 23, 2022 AND PROVIDING
THAT PROPERTY TAXES FOR 2022, AS OF THE EFFECTIVE DATE, BE
CANCELLED AND/OR REFUNDED**

SEPTEMBER 14, 2022

WHEREAS, the owner of real property in the Township of Toms River known as Block 413 Lot 21.02, Qualifier C0104, located at 104 Golf View Drive, has been certified by the Tax Assessor as a a 100% Disabled Veteran, effective June 23, 2022 and

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

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

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

1. All 2022 real property taxes Block 413 Lot 21.02, Qualifier C0104, due on or after, June 23, 2022 shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 413 Lot 21.02, Qualifier C0104, if any, shall be refunded on a pro-rated basis from June 23, 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
TO ESTABLISH A DEDICATED TRUST BY RIDER FOR SENSORY TRAILER
AND RESCIND RESOLUTION DATED 8/24/22**

September 14, 2022

WHEREAS, N. J. S. A. 40A: 5-29 authorizes a municipality to accept bequests, legacies and gifts in the manner set forth in the conditions of that bequest, legacy or gift; and

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a Dedication by Rider of revenues received for the Sensory Trailer.

WHEREAS, N. J. S. A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider;

September 14, 2022

WHEREAS, the public seeks to assist by Donations to the Township of Toms River funds for the maintenance, supplies and care of the Sensory Trailer; and

WHEREAS, resolution F adopted on 8/24/22 required a correction under the statute submitted and is being rescinded.

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 Township of Toms River to rescind the resolution F approved on 8/24/22.

2. It hereby authorizes the Township of Toms River to accept donations for the maintenance, supplies and care of the Sensory Trailer.

3. These monies shall be delivered to the Township Chief Financial Officer and placed in a Township depository and dedicated for the purpose of the maintenance, supplies and care of the Sensory Trailer, exclusive of any other dedicated funds for the Sensory Trailer.

4. In the event a donation (for example, a cash donation) does not specify one way or the other its intention to be a donation to the maintenance, supplies and care of the Sensory Trailer as described herein, or is otherwise silent as to its intended use, it shall by default be deemed a dedication to the maintenance, supplies and care of the Sensory Trailer, exclusive of any other dedicated funds for the Sensory Trailer.

5. The Township Council of the Township of Toms River hereby requests permission of the Director of the Division of Local Government Services to approve receipt and expenditures under the provision of N. J. S. A. 40A: 4-39 for the exclusive purpose of depositing and expending funds paid by individuals for the maintenance, supplies and care of the Sensory Trailer.

6. The Municipal Clerk is hereby directed to forward two certified copies of this resolution to the Director of Local Government Services.

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

- A) Township Chief Financial Officer
- B) Township Auditor
- C) Township Business Administrator
- D) Toms River Mayor's Advisory Committee on Developmental Disability (TRMACDD)
- E) Mayor Maurice Hill

Approved as to Content

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASE OF ONE (1) STRETCHER MTS PWLD EXCLUDING FLOOR PLATE, ONE (1) STRETCHER MTS PWLD INCLUDING FLOOR PLATE, AND ONE (1) MTS POWER LOAD WITH FLOOR PLATE FOR THE OFFICE OF EMERGENCY MANAGEMENT, FROM STRYKER SALES CORPORATION UTILIZING BERGEN COUNTY COOPERATIVE CONTRACT #22-14, IN THE TOTAL MAXIMUM AMOUNT NOT TO EXCEED \$75,399.89

SEPTEMBER 14, 2022

September 14, 2022

WHEREAS, the Township of Toms River is a member of the Bergen County Cooperative Pricing System, as authorized by N.J.S.A. 40A:11-11(5); and

WHEREAS, the Division of Purchasing is requesting authorization to purchase One (1) Stretcher MTS PWLD excluding floor plate, One (1) Stretcher MTS PWLD including floor plate, and One (1) MTS Power Load with floor plate for the Office of Emergency Management, utilizing Bergen County Cooperative Pricing System #22-14, from the following vendor:

Stryker Sales Corporation
2825 Airview Blvd
Kalamazoo, MI 49002
Bergen County Bid # 22-14

ITEM	QTY	PRICE
MTS Power Load *Includes Floor Plate Product #639005550001	1	\$28,862.00
Discount	10%	(\$2,886.20)
Total		\$25,975.80
Power-PRO XT MTS High: wheel lock, x-restraint package, retractable head section O2 bottle holder, 3-stage IV pole PR, equipment hook, H/E storage flat, XPS side rail, XPS mattress, Knee-Gatch, Dual compatibility, backrest storage pouch, steer-lock Product #650605550003	1	\$26,458.00
Discount	10%	(\$2,645.80)
Total		\$23,812.20
MTS PWLD Excludes Floor Plate Product #639005550001	1	\$27,834.00
Discount	10%	(\$2,783.40)
Total		\$25,050.60
Freight/Shipping		\$561.29
Grand Total		\$75,399.89

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

1. It hereby authorizes the purchase of One (1) Stretcher MTS PWLD excluding floor plate, One (1) Stretcher MTS PWLD including floor plate, and One (1) MTS Power Load with floor plate for the Office of Emergency Management, from Stryker Sales Corporation, 2825 Airview Blvd., Kalamazoo, MI, 49002, utilizing Bergen County Cooperative Pricing System #22-14, in the total maximum amount not to exceed \$75,399.89.

2. Funds in the amount of \$75,399.89 are available in Account No. -04- -253-201.

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 terms and conditions of the bid specifications and the Master Contract as awarded by the Bergen County Cooperative Contract #22-14.

September 14, 2022

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) Office of Emergency Management
- e) Stryker Sales Corporation
2825 Airview Blvd.
Kalamazoo, MI 49002

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR TOMS RIVER VARIOUSRF MONOPOLE PROJECTS TO PROCOMM SYSTEMS INC., AS LOWEST BIDDER, MEETING ALL OF THE BID SPECIFICATIONS, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,928,036.65

SEPTEMBER 14, 2022

WHEREAS, bids were invited on August 18, 2022, for the Toms River Various RF Monopole Projects; and

WHEREAS, bids were received, as follows:

<u>Vendors:</u>	<u>Total Bid:</u>
Procomm Systems Inc. 823 Uniontown Rd. Phillipsburg, NJ 08865	\$1,928,036.65
Agate Construction Co., Inc. 1030 Route 83 Clermont, NJ 08210	\$3,364,520.00

WHEREAS, the bids have been reviewed by the Purchasing Division and the Engineering Division, and recommendation has been made to award a contract to Procomm Systems Inc., as the lowest bidder, meeting all the bid specifications, at a total contract price not to exceed \$1,928,036.65;

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 Toms River Various RF Monopole Projects to Procomm Systems Inc., as the lowest bidder, meeting all the bid specifications, at a total contract price not to exceed \$1,928,036.65.

2. Funds in the amount not to exceed \$1,928,036.65, are available in Account No.: X-04- -258-001.

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 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

September 14, 2022

- d) Engineering Division
- e) Aforementioned bidders

Dated: September 14, 2022

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR EMERGENCY POWER GENERATOR SYSTEMS MAINTENANCE, GENTRACKER MONITORING & REPAIR SERVICES REVISED TO EBROADBURL REALTY CORPORATION T/A POWER EQUIPMENT COMPANY, AS THE SOLE BIDDER MEETING ALL THE BID SPECIFICATIONS, FOR MAINTENANCE AND MONITORING FOR 2022, IN THE TOTAL MAXIMUM CONTRACT PRICE NOT TO EXCEED \$9,468.00

SEPTEMBER 14, 2022

WHEREAS, bids were invited on June 28, 2022 for Emergency Power Systems Maintenance, Gentracker Monitoring & Repair Services and cancelled; and

WHEREAS, bids were invited a second time on August 16, 2022 and one bid was received, as follows:

Ebroadburl Realty Corporation
t/a Power Equipment Company
1259 No. Church St., Bldg. 2
Moorestown, NJ 08057

Part A Preventative Maintenance				
	DESCRIPTION	QUARTERLY PRICE	YEARLY PRICE	THREE YEAR TOTAL
1	Onan Generator (Diesel) ATS, Controls, & Gentracker Monitoring 33 Washington St:	\$605.00	\$2,420.00	\$7,260.00
2	Onan # 1 Generator (Diesel), Shared ATS's, Controls, & Gentracker Monitoring 255 Oak Ave:	\$605.00	\$2,420.00	\$7,260.00
3	Onan # 2 Generator (Nat Gas), Shared ATS's, Controls, & Gentracker Monitoring 255 Oak Ave:	\$445.00	\$1,780.00	\$5,340.00
4	Onan # 3 Generator (Nat Gas), Shared ATS's, Controls & Gentracker Monitoring 255 Oak Ave:	\$445.00	\$1,780.00	\$5,340.00
		BI-ANNUAL PRICE	YEARLY PRICE	THREE YEAR TOTAL
5	Philadelphia Electrical Equipment Co. Master Control Panel (MCP), Batteries and Storage Battery System. (SBS)	\$6,393.00	\$12,786.00	\$38,358.00
		QUARTERLY PRICE	YEARLY PRICE	THREE YEAR TOTAL
6	Generac Tower Generator, 1672 Church Rd, and Gentracker Monitoring	\$430.00	\$1,720.00	\$5,160.00
7	Parks Shop Cummings Generator, 1536 N. Bay Ave, and Gentracker Monitoring	\$545.00	\$2,180.00	\$6,540.00
	Three (3) Year Grand Total Bid:			\$75,258.00
Part B Additional Repairs, Parts and Service :				
		Year 1	Year 2	Year 3
	Per Hour Rate for Additional Repairs and Service:	\$175.00	\$175.00	\$175.00
	Per Hour Rate for Philadelphia Electrical Equipment Co. Master Control Technician	\$210.00	\$231.00	\$254.00
	Percentage markup on materials above actual cost to vendor:			25.00%

WHEREAS, the bid was reviewed by the Purchasing Division and recommendation has been made to award a contract to Ebroadburl Realty Corporation t/a Power Equipment Company, as follows:

Total Preventative Maintenance and Monitoring funds to be certified for 2022: \$9,468.00:

September 14, 2022

	Generator Quarterly price	Total for 2022
Preventative Maintenance Onan Generator (Diesel) ATS, Controls, & Gentracker Monitoring 33 Washington St:	\$605.00	\$605.00
Onan # 1 Generator (Diesel), Shared ATS's, Controls, & Gentracker Monitoring 255 Oak Ave:	\$605.00	\$605.00
Onan # 2 Generator (Nat Gas), Shared ATS's, Controls, & Gentracker Monitoring 255 Oak Ave:	\$445.00	\$445.00
Onan # 3 Generator (Nat Gas), Shared ATS's, Controls & Gentracker Monitoring 255 Oak Ave:	\$445.00	\$445.00

PEECO Bi-Annual
Price

Philadelphia Electrical Equipment Co (PEECO) Master Control Panel (MCP), Batteries and Storage Battery System (SBS):	\$6,393.00	\$6,393.00 <u>0</u>
Grand Total for Maintenance and Monitoring for 2022:		\$9,468.00 0

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 Ebroadburl Realty Corporation T/A Power Equipment Company for Emergency Power Generator Systems Maintenance, Gentracker Monitoring & Repair Services, as the sole bidder meeting all the specifications, for a total contract price not to exceed \$9,468.00 for 2022 (Maintenance and Monitoring for 2022), as follows:

Total Preventative Maintenance and Monitoring funds to be certified for 2022: \$9,468.00:

	Generator Quarterly price	Total for 2022
Preventative Maintenance Onan Generator (Diesel) ATS, Controls, & Gentracker Monitoring 33 Washington St:	\$605.00	\$605.00
Onan # 1 Generator (Diesel), Shared ATS's, Controls, & Gentracker Monitoring 255 Oak Ave:	\$605.00	\$605.00
Onan # 2 Generator (Nat Gas), Shared ATS's, Controls, & Gentracker Monitoring 255 Oak Ave:	\$445.00	\$445.00
Onan # 3 Generator (Nat Gas), Shared ATS's, Controls & Gentracker Monitoring 255 Oak Ave:	\$445.00	\$445.00

September 14, 2022

PEECO Bi-Annual
Price

Philadelphia Electrical Equipment Co (PEECO) Master Control Panel (MCP), Batteries and Storage Battery System (SBS):	\$6,393.00	\$6,393.0 0
Grand Total for Maintenance and Monitoring for 2022:		\$9,468.0 0

2. Funds in the amount not to exceed \$9,468.00 for 2022 (Maintenance and Monitoring for 2022), are available in Account No. 2-01- -R20-531. Future maintenance will be encumbered upon approval of appropriate future municipal budgets. Additional repairs and service rates and materials shall be open-ended with funds being encumbered each time an order is placed contingent upon the availability of funds. 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 terms and conditions of the bid specifications.

3. Pursuant to N.J.S.A. 40A:11-15(7) the term of contract shall be effective for three (3) years from date of award through April 11, 2025.

4. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than one (1) two-year, or two (2) one-year terms after the expiration of the original contract period.

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) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Ebroadburl Realty Corporation
t/a Power Equipment Company
1259 No. Church St., Bldg. 2
Moorestown, NJ 08057

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION TO REVISE OPEN-ENDED CONTRACTS THAT WERE AWARDED ON AUGUST 10, 2022 FOR THE SUPPLY OF SNOWPLOW REPAIR PARTS AND SERVICE TO HA DEHART & SON, INC. AND TRIUS INC

SEPTEMBER 14, 2022

WHEREAS, bids were awarded by resolution of the Township Council on August 10, 2022 for the Supply of Snowplow Repair Parts and Service; and

WHEREAS, the Division of Purchasing is requesting authorization to revise contracts which were awarded to HA DeHart & Son, Inc. and Trius Inc., as follows:

HA DeHart & Son, Inc. – Rescind Item Nos. 3a - 3d, and award Item Nos. 5a – 5d.

Trius Inc. – Rescind Item Nos. 5a-5d.

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:

September 14, 2022

1. It hereby revises the open-ended contracts for the Supply of Snowplow Repair Parts and Service as follows:

HA DeHart & Son, Inc. – Rescind Item Nos. 3a-3d, and award Item Nos.

5a – 5d.

Trius Inc. – Rescind Item Nos. 5a-5d.

2. The Term of Contract shall be retroactive to August 8, 2022 through August 7, 2024. 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 year.

3. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Public Works
- e) Division of Parks, Buildings and Grounds
- f) HA DeHart & Son, Inc.
311 Crown Point Road
Thorofare, NJ 08086
- g) Trius Inc.
5049 Industrial Road
Farmingdale, NJ 07727

Dated: September 14, 2022

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE PURCHASING DIVISION AND THE DEPARTMENT OF PUBLIC WORKS TO DISPOSE OF, BY RECYCLING, EIGHT (8) V-BOXES AT THE DEPARTMENT OF PUBLIC WORKS, WHICH ARE NO LONGER NEEDED FOR PUBLIC USE, AND NOT WORTH AUCTIONING, PURSUANT TO N.J.S.A. 40A:11-36

SEPTEMBER 14, 2022

WHEREAS, the Purchasing Division and the Department of Public Works are requesting authorization to dispose of, by recycling, eight (8) V-Boxes, at the Department of Public Works, which are no longer needed for public use, and not worth auctioning and

WHEREAS, accordingly sound business judgment would indicate that the best course of action to be taken in this matter is to recycle the eight (8) V-Boxes; and

September 14, 2022

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. Pursuant to N.J.S.A. 40A:11-36, it hereby authorizes the Purchasing Division and the Department of Public Works to dispose of eight (8) V-Boxes at the Department of Public Works, which are no longer needed for public use, and not worth auctioning, and should be disposed of by recycling.

2. There are no fixed asset tag numbers assigned. A list of the V-Boxes to be recycled are as follows:

<u>V-Box</u>	<u>Serial No.</u>	<u>Model</u>
40	GR24808	M3-15
41	GR24805	M3-15
29	GR26060	M3-10
216	GR25184	M3-10
39	GR24807	M3-15
43	GR24806	M3-15
28	GR25188	M3-10
215	GR25185	M3-10

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) Township Attorney
- c) Chief Financial Officer
- d) Public Works
- e) Clerk's Office, Attn: L. Knemoller

Dated: September 14, 2022

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS, TO EMS CONSULTING SERVICES, FOR EMS BILLING SERVICES

SEPTEMBER 14, 2022

WHEREAS, proposals were received for EMS Billing Services through the competitive contracting process; and

WHEREAS, on May 25, 2022, the Township of Toms River received four (4) proposals for EMS Billing Services through the competitive contracting process in accordance with NJSA 40A:11-4.1, which allows for price and other factors. The results are as follows:

Vendor Information

Air Methods Corporation
d/b/a Cypheron Healthcare Solutions
7301 S. Peoria Street
Englewood, CO 80112-4133 5%

EMS Consulting Services
20 E. Taunton Road, Suite 560
Berlin, NJ 08009 6%

Farnsworth & Semptimphelter, LLC

September 14, 2022

692 Main Street
PO Box 467
Lumberton, NJ 08048

2.85%

Life Line Billing Systems LLC
d/b/a LifeQuest Services
N2930 State Road 22
Wautoma, WI 54982

4%

WHEREAS, the review committee for this solicitation consisted of Judith Tutela, CFO, Lt. G. Bachonski, Kevin Monaghan and Nicholas Amato; and

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

WHEREAS, Committee members reviewed the proposals separately and together; and

WHEREAS, after meeting on July 14, 2022, the committee determined that they needed additional information to make the final decision and sent out additional questions to the vendors; and

WHEREAS, another review was held and the committee scored each vendor, as follows:

Air Methods Corporation d/b/a Cypheron Healthcare Solutions	222.5
EMS Consulting Services	350
Farnsworth & Semptimphelter, LLC	270
Life Line Billing Systems LLC d/b/a LifeQuest Services	233.75

WHEREAS, the scores were based upon the following observations:

Air Methods d/b/a Cypheron Healthcare Solutions – does not have a license for New Jersey billing.

Life Line Billing Systems LLC d/b/a LifeQuest Services – responded and based on their responses it was determined they do not currently have any NJ clients which Would not be a good fit for Toms River.

Farnsworth & Semptimphelter LLC – were resistant to answering the additional questions. Reports with specific information were requested both for this comparison and over the previous year and they were unable to provide the reports that will allow us to monitor charges, payments and billing for maximized collections. The Township must provide all documents via email to bill. They are not automatically uploading data from charting system.

EMS Consulting Services – has the qualifications, staff and provided a comprehensive response. They also answered all additional questions and provided all requested reports. They have certified coders and billers. Data is downloaded and coded to provide fast, efficient service.

WHEREAS, although the cost is higher, the committee chose EMS Consulting Services. They feel that the difference in the manner of billing and coding will enable them to have higher collections. Electronic data transmissions and the reports provided

September 14, 2022

will enable the review by the Township to be more efficient and therefore save time and money for Township employees;

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 EMS Consulting Services for EMS Billing Services through the competitive contracting process at 6%.

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) Division of Purchasing
- e) Certified Financial Officer
- f) Township Attorney
- g) Lt. G. Bachonski
- h) Kevin Monaghan
- i) Nicholas Amato
- j) Aforementioned Vendors

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 AUCTIONEER SERVICES USING A COMPETITIVE CONTRACTING PROCESS

SEPTEMBER 14, 2022

WHEREAS, the Purchasing Division is requesting authorization to advertise and receive sealed proposals for Auctioneer Services 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 Auctioneer Services 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) Certified Financial Officer
- f) Township Attorney
- g) Recreation Department

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 LESTER GLENN HYUNDAI, BLOCK 688, Lot 38 (386 Route 37 East)

September 14, 2022

September 14, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 688, Lot 38.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Check in the amount of \$5,000.00 which represents the Safety and Stabilization Guarantee.
- 2) Check in the amount of \$1,064.32 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 Lester Glenn Hyundai, 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. Lester Glenn Buick, Inc.
Lester Glenn Hyundai
386 Route 37 East
Toms River, NJ 08753

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 JIFFY LUBE, BLOCK 539, LOT 2.04 (1256 Indian Head Road)

September 14, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 539, Lot 2.04.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$16,010.00 which represents the full portion of the performance guarantee amount.
- 2) Check in the amount of \$5,000.00 which represents the ten Safety and Stabilization Guarantee.
- 3) Check in the amount of \$13,847.03 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 Pinnacle Commercial Development, Inc., 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.

September 14, 2022

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Pinnacle Commercial Development, Inc
3822 River Road, Rear Building
Point Pleasant, NJ 08742

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN FOR A TRASH ENCLOSURE KNOWN AS WAWA, BLOCK 920.08, LOT 100 (3458 Route 35)

September 14, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 920.08, Lot 100.

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 \$5,000.00 currently on deposit in account # 2-14- -902-101 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. Wawa, Inc.
260 West Baltimore Pike
Wawa, PA 19063

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS WAWA, BLOCK 9.20, LOT 100 (3458 ROUTE 35)

September 14, 2022

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 920.08, LOT 100

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 \$5,000.00 currently on deposit in account # 2-14- -902-101 is hereby released with applicable interest if any;

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

September 14, 2022

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Wawa, Inc.
280 West Baltimore Pike
Wawa, PA 19063

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

September 14, 2022

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

WHEREAS, Performance Bonds have been posted as follows:

!) Cash Bond in the amount of \$6,500.00 from account #2-14- -902-101 is hereby released with applicable interest if any;

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:

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

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

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

RESOLUTION AUTHORIZING THE PERSON-TO PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE 1507-33-052-003 FROM ANTSUL-BWW V LLC, TO MUNSON OF TOMS RIVER WINGS LLC.

September 14, 2022

WHEREAS, an application has been filed for **PERSON-TO-PERSON TRANSFER** for Plenary Retail Consumption License Number **1507-33-052-003**, heretofore issued to AntSul-BWW V LLC.
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

September 14, 2022

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

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

1. It hereby does authorize the **Person-To-Person Transfer** of Plenary Retail Consumption Liquor License Number 1507-33-052-003 from **AntSul -BWW V LLC, to Munson of Toms River Wings LLC.**

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 08646-099
- e) Munson of Toms River Wings LLC
2 Route 37 West, Unit C-1
Toms River, NJ 08753

Art Anderson, 12 Part Street, asked for clarification.

Council Member Lotano explained the following Resolution.

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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING REDUCTION OF THE LETTER OF CREDIT FOR CLEARBROOK HOMES, LLC, 633 CLEARBROOK DRIVE, BLOCK 694.14, LOTS 6, 30.02 AND 48 TO BE REDUCED TO THE AMOUNT OF \$431,804.82

SEPTEMBER 14, 2022

WHEREAS, by memorializing resolution dated January 19, 2022, the Toms River Planning Board approved an amended preliminary and final major subdivision plan at 633 Clearbrook Drive, Block 694.14, Lots 6, 30.02 and 48 for applicant Clearbrook Homes, LLC (“Developer”); and

WHEREAS, the Planning Board required the posting of performance bonds as follows: surety bond in the amount of \$863,609.64 and a cash bond in the amount of \$95,978.84; and

WHEREAS, the Township of Toms River has accepted a letter of credit # 1982 from Amboy Bank issued on July 21, 2021, to Clearbrook Homes, LLC, 817 West Briar Avenue, Toms River, NJ 08753 in the amount of \$863,609.64 as surety; and

WHEREAS, on July 5, 2022, Robert J. Chankalian, PE, CME, issued an Inspection Letter wherein he recommended that the surety and cash bonds be reduced; and

WHEREAS, on August 8, 2022 the Developer requested a partial release of the letter of credit as result of the issuance of the Inspection Letter; and

WHEREAS, the Developer has agreed to replace or reduce the Letter of Credit to the amount \$431,804.82 to serve a surety performance bond; and

September 14, 2022

WHEREAS, the Township will accept a reduction in the Letter of Credit which shall be in effect for the amount \$431,804.82:

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

1. It hereby authorizes the reduction of the Letter of Credit posted by Clearbrook Homes, LLC, for 633 Clearbrook Drive, Block 694.14, Lots 6, 30.02 and 48 to \$431,804.82 for application #PB21-039.

2. The cash bond shall be reduced to \$47,989.42, and the excess cash bond in hand in the amount of \$47,989.42 be release to the Clearbrook Homes, LLC.

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) Certified Financial Officer
- d) Township Attorney
- e) Township Engineer
- f) Gregory J. Hock, Esq.
D'Arcy Johnson Day, P.C.
204 Court House Lane
Toms River,, NJ 08753

Adopted by Township Council on _____, 2022

Maurice B. Hill, Jr.
Mayor

Michael Cruoglio
Township Clerk

I, _____ Township Clerk of the Township of Toms River, in County of Ocean, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Township Council on _____

Township Clerk

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

**RESOLUTION AUTHORIZING PLACE-TO-PLACE
TRANSFER OF PLENARY RETAIL DISTRIBUTION
LICENSE NUMBER 1507-32-015-007
ISSUED TO CROSSROADS SPIRITS LLC
T/A SPIRITS UNLIMITED/SOCIAL 37
(DEACTIVATING A PORTION OF PREMISE)**

September 14, 2022

WHEREAS, an application has been filed to the governing body of the Township of Toms River for a **PLACE-TO-PLACE TRANSFER** (deactivation a portion of premise) of Crossroads

September 14, 2022

Spirits LLC., holder of Plenary Retail Distribution License #1507-32-015-007 issued by the Township of Toms River for premises located at #2 Route 37 West, Toms River, NJ 08753; and

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

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

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 authorize; the **Place-To-Place Transfer** to place Plenary Retail Distribution License Number **1507-32-015-007, held by Crossroads Spirits LLC t/a Spirits Unlimited/Social 37 to Deactivate the portion of Social 37, located at Crossroads Center Building C Units 2&3, Toms River, NJ, 08753.**

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

- a) Police Department
- b) Chief Financial Officer
- c) Council
- d) Attorney
- e) State of New Jersey
Division of Alcoholic Beverage Control
140 E. Front Street
P.O. Box 087
5th Floor
Trenton, N.J. 08625-0087
- f) 1617 LLC
952 Lakewood Rd
Toms River, NJ 08753
- g) Frank Mandia, Esq.
685 Neptune Blvd
Neptune, NJ 07753

REPORTS

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

Building Department

	2022	2021
Building Permits – August	\$393,618.00	\$206,903.00
Building Permits – YTD through August	\$2,361,039.00	\$2,081,468.00

	2022	2021

September 14, 2022

Bey Lea Golf Course- August	\$265,580.90	\$216,792.03
Bey Lea Golf Course- YTD through August	\$1,319,126.40	\$1,236,405.06
Winding River Ice Rink- August	\$53,829.00	\$50,178.00
Winding River Ice Rink- YTD through August	\$642,349.95	\$502,223.23
Pool Badges-Through 9/5/2022	\$114,198.00	\$88,867.00
Beach Badges-Through 9/5/2022	\$645,725.00	\$691,168.00

APPROVAL OF BILLS

Council President Geoghegan asked for a report on the bills.

The Bill List, dated **September 8, 2022**, was approved on motion by Council Member Kopp, seconded by Council Member Lotano, and carried with Council Members Ciccozzi, Kopp, Lotano, Lamb, 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 22-01230, payable to Board of Fire Commissioner District 2 in the amount of \$827,055.44.

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

Purchase Order 22-00123, payable to Imwoth LLC-Autoshred NJ in the amount of \$220.00.

Council Member Ciccozzi – NONE

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

Purchase Order 22-01230, payable to Board of Fire Commissioner District 2 in the amount of \$827,055.44.

Purchase Order 22-04849, payable to Owen Little & Associates in the amount of \$9,295.00.

Purchase Order 22-03983, payable to Borough of South Toms River in the amount of \$771.90.

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

Purchase Order 22-04754, payable to Magistrate Salaries 8/25/22 Payroll in the amount of \$6,937.41

Purchase Order 22-05003, payable to Magistrate Salaries 9/8/2022 Payroll in the amount of \$6,937.41

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

Purchase Order 22-01230, payable to Board of Fire Commissioner District 2 in the amount of \$827,055.44.

September 14, 2022

Council Member Rodrick – NONE

ELECTED OFFICIALS COMMENTS

Council Member Lamb mentioned that there will be lifeguards on duty this weekend only and bathrooms will be open until September 30th. He also mentioned that CCO Ordinance has serious problems for the residents and wants Council to repeal the Ordinance.

Council Member Rodrick believe current issues on the CCO Ordinance is tying up buying and selling for residents.

Council Member Lotano is open to hearing residents' concerns on the CCO Ordinance; Vest-a-cop on September 26th in downtown, Toms River, and paddle race later this month.

Council Member Kopp said October 18th @ 6:00 p.m. – Small Business Committee Meeting..

Council Member Ciccozzi spoke regarding CCO Ordinance should be reviewed. Summer business season was good.

Mayor Hill spoke regarding beach replenishment project, and on Ocean County Recycling grant monies.

Council President Geoghegan mentioned that County will cover 50% cost of beach replenishment project.

PUBLIC COMMENTS

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

Art Anderson, 12 Park Street, questioned bills being paid for redeveloper, and m monies paid for fence in Ortley Beach.

Lori O'Connell, 115 Cardinal Drive, concerns about new CCO Ordinance

Kimberly Bells, 64 Ibis Lane, spoke regarding CCO Ordinance

Marisa Montalano 32 Leone Road, spoke regarding CCO Ordinance.

Dana Tormolion, 105 Messenger Street, spoke regarding new speed limit on Whittier and asked if they can get lighting there. Also spoke about paving on Washington Street, Mayor Hill said he has spoken to County Engineer regarding this.

Dan Kessel, 7 Vail Street, thanked the Council for the use of the recreation building for Code Blue Program.

Frank Davis, 20 West Ridge, spoke regarding CCO Ordinance.

Jared Caso, 2 Pantzer Court, spoke regarding 1 reading Ordinance on no parking for kids on Pantzer Court

Mary and Frank Belletti, 381 Dallas Drive, spoke regarding new CCO Ordinance. Very costly and having a lot of issues.

Abraham Hirchowitz, spoke regarding too many issues on CCO Ordinance.

September 14, 2022

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

No other business appearing, the meeting was **adjourned** at 7:18 P. M., on motion with Council Member Lotano, seconded by Council Member Kopp, and carried with Council Members Ciccozzi, Kopp, Lamb, Lotano, Quinlisk, Rodrick, and with Council President Geoghegan voting yes.

KEVIN GEOGHEGAN, COUNCIL PRESIDENT

MICHAEL CRUOGLIO, DEPUTY CLERK