

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, June 26, 2024
7:00 PM**

1. **Meeting called to order.**
2. **Flag salute.**
3. **Open Public Meetings Act statement.**
4. **ROLL CALL:**
 - CICCOZZI _____
 - LAMB _____
 - LOBMAN _____
 - NIVISON _____
 - QUINLISK _____
 - O'TOOLE _____
 - COLEMAN _____
5. **Minutes: May 22, 2024 Regular Council Meeting**
6. **Honoring Resolutions and Presentations:**
 - a. Eagle Scouts
 - i. Michael Becker- BSA Troop 20
 - ii. Luke Lotter- BSA Troop 20
 - iii. Thomas Miller- BSA Troop 59

CERTIFICATION OF TOMS RIVER TOWNSHIP CLERK PURSUANT TO N.J.S.A. 40:69A-185

Ordinances - Final Readings

7. **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 Stop Intersections At The Intersections Of Minturn Road And Grover Road And Minturn Road And Foster Road To Improve Traffic Safety For The Area

Ordinance - First Reading

8. **BOND ORDINANCE** Providing For The Acquisition Of Real Property For Municipal Purposes, Appropriating \$2,000,000 Therefor And Authorizing The Issuance Of \$1,904,761 Bonds And Notes To Finance A Portion Of The Costs Thereof, Authorized In And By The Township Of Toms River, In The County Of Ocean, New Jersey
9. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Acquisition, By Purchase, Of Block 668, Lot 1, (1 Robbins Rarkway) As Shown On The Official Tax Map Of The Township Of Toms River, Ocean County, New Jersey, For The Purchase Price Of \$1,850,000

Resolutions

10. **RESOLUTION** Of The Governing Body (Township Council) Of The Township Of Toms River, Ocean County, New Jersey, For Certification Of The Annual Audit For The Year 2023

Consent Agenda

All matters listed under the heading "Consent Agenda" will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired on any item, that will be considered separately.

11. Consent Items
 - a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund and Cancelations of Tax Payments
 - b. **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 Owners Of 6 Properties To Be Canceled And/Or Refunded
 - c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Tax Collector To Hold An Electronic Tax Sale
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Awarding New Three-Year Towing Licenses To Qualified Towers Pursuant To Chapter 468 Of The Township Code
 - e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Renewal Of Liquor Licenses For 2024-2025
 - f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey for Renewal of Club Liquor Licenses for 2023-2024

- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Division Of Purchasing To Enter Into A Contract With Realaucon.Com Llc, For Electronic Tax Sale Services For The Tax Collector’S Office, At \$15.00 Per Certificate Advertised, Not To Exceed The Bid Threshold Which Is Currently \$44,000.00
- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Contract For Licensed Electrician Services To Sal Electric Co. Inc., As The Lowest Bidder, Meeting All Of The Bid Specifications
- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, For Authorization To Utilize Nj State Contract #20-Tele-01510, Entitled “Software Reseller Services” For The Purchase Of Microsoft Enterprise Licensing From Dell Marketing Lp, For The Office Of Information Technology, Which Expires May 24, 2026, In The Amount Not To Exceed \$645,342.48 For 3 Years (Year 1: \$215,114.16)
- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of A Negotiated, Open Ended Contract For The Supply Of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing & Bunker Sand (Bid-2024-103-N) To Siteone Landscape Supply, Who Meets All Of The Bid Specifications
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing To Utilize Ocean County Cooperative B2023-194 Entitled “Gasoline And Diesel Fuel” Which Expires December 5, 2025, To Purchase Gasoline On An As-Needed Basis, Due To Vendor Failing To Bill Properly And Missing Multiple Deliveries Limiting The Township Vehicles To Fill Their Tanks
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For The Furnishing And Delivery Of Miscellaneous Parts For Various Sanitation Collection Containers (Bid-2024-158), For The Division Of Roads And Sanitation, To Otto Environmental Systems, And Authorizing The Appropriate Township Official To Advertise For Rebid Of Those Items Which Received No Bids
- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing And Accepting The Name Change Of Vendor For Inspection, Testing, Monitoring, Maintenance And Repair Services Of Various Fire Systems, Including Portable Fire Extinguishers, Fire Suppression Systems, Water Based Fire Protection Systems And Fire And Burglar Alarms, From City Fire Equipment Co., Inc. To Encore Fire Protection Llc, Due To A Company Acquisition, Effective Immediately
- n. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of An Open-Ended Contract To Galls, Llc For The Furnishing And Delivery Of Uniform And Specialty Items Rebid (Bid-2024-125-1)
- o. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing An Open-Ended Contract For The Furnishing And Delivery Of Work, Sport And Lifeguard Clothing Rebid (Bid-2024-107-1) To Bmk Sports & Apparel, Llc, As The Bidder Meeting All Of The Bid Specifications

- p. **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 Furnishing And Delivery Of Peterbilt Repair Parts And Provision Of Repair Services Rebid (Bid-2024-149-1) To Hunter Truck, As Sole Bidder
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Township Of Toms River Tax Collector To Prepare And Mail Estimated Tax Bills In Accordance With P.L. 1994 C. 72
- r. **RESOLUTION** Of The Township Of Toms River Providing For An Issue Of General Obligation Bonds Consisting Of General Improvement Bonds And Open Space Bonds Authorizing The Sale Of \$32,996,000 Principal Amount Of General Improvement Bonds, Series 2024 And \$13,176,000 Principal Amount Of Open Space Bonds, Series 2024, Authorizing Advertisement Of A Notice Of Sale; Authorizing The Acting Chief Financial Officer To Sell And Award The Bonds; Determining The Form And Other Details Of The Bonds; And Authorizing Other Matters Relating Thereto.
- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing Drew Chabot As The Township'S Insurance Fund Representative To The Ocean County Joint Insurance Fund And The Central Jersey Health Insurance Fund
- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing Angela Del Vecchio As Full Time Deputy Municipal Clerk Of The Township Of Toms River, Commencing Retroactive To June 3, 2024
- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Amending Budget Revenues And Appropriations For 2024 Ocean County Transportation Grant
- v. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Amending Budget Revenues And Appropriations For Youth Leadership Grant
- w. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Amending Budget Revenues And Appropriations For Fy2024 Clean Communities Grant In The Amount Of \$289,776.54
- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Resolution Changing Various Custodians Of Petty Cash Funds
- y. **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 724.05, Lot 256 And 257 (Cove Road & Island Road)
- z. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Performance Guarantees And Accepting Maintenance Guarantees For A Minor Subdivision Known As Block 798, Lot 22 And 23 (Buermann Avenue)

- aa. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Performance Guarantees And Accepting Maintenance Guarantees For A Major Site Plan Known As Block 506.02 Lot 24 (1181 Route 37 West)
- bb. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Mayor’S Appointment Of Laura Picurro To Serve As The Municipal Alliance Coordinator Through December 31, 2025
- cc. **RESOLUTION** Authorizing An Amendment To The Resolution Dated December 5, 2023, To Authorize The Hiring Of One (1) Additional Ice-Skating / Hockey Instructor, Joshua Burkhard, For The Winding River Skating Center For Calendar Year 2024.

Reports

12.	Building Department	2024	2023
	Building Permits - May	\$250,809.00	\$349,227.00
	Building Permits - YTD through May	\$1,494,081.00	\$1,756,976.00
	Recreation Department	2024	2023
	Bey Lea Golf Course- May	\$259,119.21	\$258,521.03
	Bey Lea Golf Course- YTD through May	\$705,590.71	\$655,616.43
	Winding River Ice Rink- May	\$85,965.00	\$85,921.97
	Winding River Ice Rink- YTD through May	\$584,769.97	\$563,295.54

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

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 STOP INTERSECTIONS AT THE INTERSECTIONS OF MINTURN ROAD AND GROVER ROAD AND MINTURN ROAD AND FOSTER ROAD TO IMPROVE TRAFFIC SAFETY FOR THE AREA

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

1. Section 477-70, Schedule XII (Stop Intersections) of Chapter 477 (Vehicles and Traffic) of the Code of the Township of Toms River, New Jersey, is amended and supplemented to add the following:

<u>INTERSECTION:</u>	<u>STOP SIGN INSTALLED ON:</u>
Minturn Road and Grover Road	Grover Road
Minturn Road and Foster Road	Foster Road

2. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of Chapter 477 of the Code of the Township of Toms River not inconsistent herewith are ratified and confirmed.

3. If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

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 the appropriate signs.

L-May 22, 2024-18 - Ord

**RESOLUTION OF THE GOVERNING BODY (TOWNSHIP COUNCIL)
OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW
JERSEY, FOR CERTIFICATION OF THE ANNUAL AUDIT FOR THE
YEAR 2023**

JUNE 26, 2024

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year **2023** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Council of the Township of Toms River, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Business Administrator
- d) Township Attorney

- e) Acting Chief Financial Officer
- f) Township Auditors
- g) Bureau of Financial Regulation and Assistance
Division of Local Government Services
P.O. Box 803
Trenton, New Jersey 08625

L-June 26, 2024-11

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted
by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT

**GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

**STATE OF NEW JERSEY
COUNTY OF OCEAN**

We, members of the governing body of the Township of Toms River, in the County of Ocean, State of New Jersey, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Council of the Township of Toms River in the County of Ocean, State of New Jersey;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2023;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

(L.S.)

Sworn to and subscribed before me this
26th day of June, 2024.

Notary Public of New Jersey

Clerk MICHAEL CRUOGLIO

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

L-June 26, 2024-11

A

RESOLUTION

JUNE 26, 2024

WHEREAS the following Properties in the Township of Toms River, have an outstanding amount against their taxes for 2024;

WHEREAS, the properties known as Block 648 Lot 1 and 2 and located in Toms River, and the County of Ocean, became township owned properties on December 19, 2023 and, taxes are now uncollectable for 2024,

AND;

WHEREAS, there are still outstanding taxes on these Parcels, that need to be cancelled.

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 outstanding 2024 taxes are hereby cancelled;
2. Township Clerk shall send a copy of this resolution to Township Auditor, Township Chief Financial Officer and Tax Collector, And Law Department..

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted

by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

RESOLUTION

JUNE 26, 2024

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 COMMERCIAL REFUNDS	608	2.03	2024/2	\$88,627.20
CORELOGIC COMMERCIAL REFUNDS	571.70	1	-B04 2024/2	\$1,000.80
WELSH, WILLIAM & PATRICIA	387.02	15	2024/1	\$2,508.22
Total:				\$92,136.22

- 2. Township Clerk shall send a copy of this resolution to Township**

Auditor, Township Chief Financial Officer and Tax Collector.

Approved as to content:



Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

RESOLUTION

JUNE 26, 2024

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
ASCHOFF, CAROLANN	1014	6	2022/4	\$8,892.38
			\$1,251.75	
			2023/4	
			\$7,640.63	
WOLF VESPASIANO LLC, ATTY TRUST ACCT & TIRUMALA LLC	645	9	2020/4	\$34,993.00
			\$17,458.00	
			2021/4	
			\$17,535.00	
				\$43,885.38

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

Approved as to content:

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

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 694.12 LOT 25 EFFECTIVE JANUARY 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

June 26, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 694.12 Lot 25, located at 850 Brown Court, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2024, and

WHEREAS property taxes for 2024, 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 2024 real property taxes Block 694.12 Lot 25 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 694.12 Lot 25, if any, shall be refunded on a pro-rated basis from January 1, 2024.
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

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING
ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE
OWNER OF BLOCK 724.37 LOT 1 EFFECTIVE JANUARY 1, 2024, AND
PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

June 26, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 724.37 Lot 1, located at 2401 Stanley Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2024, and

WHEREAS property taxes for 2024, 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 2024 real property taxes Block 724.37 Lot 1 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 724.37 Lot 1, if any, shall be refunded on a pro-rated basis from January 1, 2024.
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

Approved as to Legal Form



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**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 192.51 LOT 35 EFFECTIVE JANUARY 1, 2024,
AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

June 26, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 192.51 Lot 35, located at 1504 Burr Oak Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2024, and

WHEREAS property taxes for 2024, 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 2024 real property taxes Block 192.51 Lot 35 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 192.51 Lot 35, if any, shall be refunded on a pro-rated basis from January 1, 2024.
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

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGGIO
TOWNSHIP CLERK

**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 233.33 LOT 24 EFFECTIVE JANUARY 1, 2024,
AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

June 26, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 233.33 Lot 24, located at 101 Silverwood Court, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2024, and

WHEREAS property taxes for 2024, 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 2024 real property taxes Block 233.33 Lot 24 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 233.33 Lot 24, if any, shall be refunded on a pro-rated basis from January 1, 2024.
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

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**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 192.52 LOT 21 EFFECTIVE MARCH 12, 2024, AND
PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

June 26, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 192.52 Lot 21, located at 1456 Forelle Lane, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective March 12, 2024, and

WHEREAS property taxes for 2024, 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 2024 real property taxes Block 192.52 Lot 21 due on or after March 12, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 192.52 Lot 21, if any, shall be refunded on a pro-rated basis from March 12, 2024.
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

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**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 231 LOT 15.01 EFFECTIVE MARCH 13, 2024, AND
PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

June 26, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 231 Lot 15.01, located at 1860 Church Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective March 13, 2024, and

WHEREAS property taxes for 2024, 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 2024 real property taxes Block 231 Lot 15.01 due on or after March 13, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 231 Lot 15.01, if any, shall be refunded on a pro-rated basis from March 13, 2024.
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

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL
OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY,
AUTHORIZING THE TOWNSHIP TAX COLLECTOR
TO HOLD AN ELECTRONIC TAX SALE**

JUNE 26, 2024

WHEREAS, N.J.S.A. 54:5-19, requires that the Tax Collector hold a tax sale once a year for unpaid property taxes and other municipal chargers; and

WHEREAS, N.J.S.A. 54:5-19.1, authorizes electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process;

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

1. The Township Tax Collector is authorized to hold an electronic tax sale
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:

- a) Business Administrator
- b) Township Attorney
- c) Chief Financial Officer
- d) Township Tax Assessor
- e) Township Tax Collector
- f) Township Auditor

Approved as to Legal Form:



Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AWARDING
NEW THREE-YEAR TOWING LICENSES TO QUALIFIED TOWERS
PURSUANT TO CHAPTER 468 OF THE TOWNSHIP CODE**

JUNE 26, 2024

WHEREAS, the towing licenses issued by resolution dated June 22, 2021 to Accurate Towing and Priced Rite Towing pursuant to Chapter 468 of the Township Code, are scheduled to expire on June 30, 2024; and

WHEREAS, the Township received applications from Accurate Towing and Priced Rite Towing for the next series of licenses to be issued, effective July 1, 2024 and expire on June 30, 2027:

1. Accurate Towing Service
14 James Street
Toms River, NJ 08753
2. Priced Rite Towing
24 Germania Station Road
Toms River, NJ 08755

WHEREAS, the Police Department conducted the review, inspections, and background checks required pursuant to §468-6C of the Township Code; and

WHEREAS, based on that investigation, the Police Department found that Accurate Towing and Priced Rite Towing satisfied the requirements of Chapter 468 and recommended approval of their applications;

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

1. Pursuant to §468-7B, based on the reports and recommendations of the Police Department, towing licenses are hereby awarded to Accurate Towing and Priced Rite Towing, both meeting the licensing standards required under Township Code 468-4. These licenses shall take effect July 1, 2024, upon payment of the required licensing fee and shall continue through June 30, 2027.

2. The Township Clerk shall provide certified copies of this resolution to the above-named towers and to the following parties:

- a) Business Administrator
- b) Township Attorney
- c) Chief of Police

- d) Safety Officer
- e) Zoning Officer
- f) The above-referenced towing companies

L-June 26, 2024-01

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE DIVISION OF PURCHASING TO ENTER INTO A CONTRACT WITH REALAUCION.COM LLC, FOR ELECTRONIC TAX SALE SERVICES FOR THE TAX COLLECTOR'S OFFICE, AT \$15.00 PER CERTIFICATE ADVERTISED, NOT TO EXCEED THE BID THRESHOLD WHICH IS CURRENTLY \$44,000.00

JUNE 26, 2024

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 Purchasing Division to enter into a contract with Realauction.com LLC, for electronic tax sale service for the Tax Collector's Office. The price for this auction is \$15.00 per certificate advertised not to exceed the bid threshold which is currently \$44,000.00.

2. Realauction.com LLC has completed and submitted a Business Entity Disclosure Certification and Political Contribution Disclosure Form, which certifies that the firm has not made any contributions in contravention of New Jersey's Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., which forms are on file in the Municipal Clerk's Office.

3. It hereby authorizes payment to Realauction.com LLC, in the amount of \$15.00 per certificate advertised, not to exceed the bid threshold, which is currently \$44,000.00, and funds are available in Account No. 4-01- -F18-534. 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) Township Attorney
- b) Acting Chief Financial Officer
- c) Purchasing Division
- d) Tax Collector
- e) Tax Assessor
- f) Realauction.com LLC
861 SW 78th Avenue
Suite B102
Plantation, Florida 33324

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
AWARD OF CONTRACT FOR LICENSED ELECTRICIAN SERVICES
TO SAL ELECTRIC CO. INC., AS THE LOWEST BIDDER, MEETING
ALL OF THE BID SPECIFICATIONS**

JUNE 26, 2024

WHEREAS, bids were invited for Licensed Electrician Services; and

WHEREAS, two bids were received on May 29, 2024 from the following vendors:

Sal Electric Co., Inc.
83 Fleet Street
Jersey City, NJ 07306

Magic Touch Construction Co., Inc.
59 W. Front Street
Keyport, NJ 07735

WHEREAS, the bids have been reviewed by the Division of Purchasing and they have recommended that a contract be awarded to Sal Electric Co., Inc., as the lowest bidder meeting all the bid specifications; and

WHEREAS, the method of award shall be based on the Lowest Average Hourly Rates provided by each bidder. This contract shall be awarded on an open-ended basis with funds being encumbered at the time the work is performed, contingent upon the availability of funds. This contract shall not exceed \$100,000.00 for each contract period; and

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

1. It hereby awards an open-ended contract for Licensed Electrician Services to Sal Electric Co, Inc., 83 Fleet Street, Jersey City, NJ, 07306, as the lowest bidder meeting all the bid specifications.

2. The method of award shall be based on the Lowest Average Hourly Rates provided by each bidder. This contract shall be awarded on an open-ended basis with funds being encumbered at the time the work is performed, contingent upon the availability of funds. This contract shall not exceed \$100,000.00 for each contract period

3. This contract shall commence the Date of Award for a period of twelve (12) consecutive months. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one-year terms, or one (1) additional two-year

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

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

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

- a) Purchasing Division
- b) Acting Chief Financial Officer
- c) Township Attorney
- d) Department of Parks, Buildings and Grounds
- e) All Aforementioned Bidders

L-June 26, 2024-03

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, FOR AUTHORIZATION
TO UTILIZE NJ STATE CONTRACT #20-TELE-01510, ENTITLED
“SOFTWARE RESELLER SERVICES” FOR THE PURCHASE OF
MICROSOFT ENTERPRISE LICENSING FROM DELL MARKETING LP,
FOR THE OFFICE OF INFORMATION TECHNOLOGY, WHICH EXPIRES
MAY 24, 2026, IN THE AMOUNT NOT TO EXCEED
\$645,342.48 FOR 3 YEARS
(YEAR 1: \$215,114.16)**

JUNE 26, 2024

WHEREAS, the Office of Information Technology is requesting authorization to utilize NJ State Contract #20-TELE-01510, entitled “Software Reseller Services”, which expires May 24, 2026, for the Purchase of Microsoft Enterprise Licensing from Dell Marketing LP, for a period of three (3) years as follows: Year 1: \$215,114.16, Year 2: \$215,114.16, Year 3: \$215,114.16; total: \$645,342.48 for 3 Years;

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 to utilize NJ State Contract #20-TELE-01510, entitled “Software Reseller Services”, which expires May 24, 2026, for the Purchase of Microsoft Enterprise Licensing from Dell Marketing LP, for a period of three (3) years as follows: Year 1: \$215,114.16, Year 2: \$215,114.16, Year 3: \$215,114.16; total: \$645,342.48 for 3 years.

2. Funds for Year 1 are available in Account No. 4-01- -A17-510 in the amount of \$215,114.16. Additional years shall be purchased, contingent upon the availability of funds in the corresponding Township budget.

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) Acting Chief Financial Officer
- c) Township Attorney
- d) IT Department
- e) Dell Marketing L.P.
One Dell Way
Round Rock, TX 78680

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted
by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF A NEGOTIATED, OPEN ENDED CONTRACT FOR THE SUPPLY OF GRASS SEED, FERTILIZER, HERBICIDES, FUNGICIDES, INSECTICIDES, INFIELD MIX, TOP DRESSING & BUNKER SAND (BID-2024-103-N) TO SITEONE LANDSCAPE SUPPLY, WHO MEETS ALL OF THE BID SPECIFICATIONS

JUNE 26, 2024

WHEREAS, the Division of Purchasing requests authorization to award a negotiated contract for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing & Bunker Sand; and

WHEREAS, the original bid awards were reviewed and approved at the February 28, 2024 Township Council meeting; and

WHEREAS, rebids were reviewed and approved at the April 24, 2024 Township Council meeting; and

WHEREAS, negotiations for the remaining items were invited and one (1) submission was received on May 30, 2024 from SiteOne Landscape Supply, 1385 East 36th Street, Cleveland, OH 44114, as follows:

Item Nos. 71 and 224

WHEREAS, the following line item received no bids and will be purchased on the open market, as needed:

Item No. 64.

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 negotiated contract for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand, as follows:

SiteOne Landscape Supply: Item Nos.: 71 and 224.

Item No. 64 received no bids and shall be purchased on the open market as needed.

2. This contract shall be open-ended with funds being encumbered each time an order is placed contingent upon the availability of funds in the appropriate

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

3. The Term of Contract shall be effective from date of award through March 10, 2025.

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) Division of Purchasing
- b) Acting Chief Financial Officer
- c) Township Attorney
- d) Bey Lea Golf Course
- e) SiteOne Landscape Supply
1385 East 36th Street
Cleveland, OH 44114

L-June 26, 2024-19

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING TO UTILIZE OCEAN COUNTY COOPERATIVE B2023-194 ENTITLED “GASOLINE AND DIESEL FUEL” WHICH EXPIRES DECEMBER 5, 2025, TO PURCHASE GASOLINE ON AN AS-NEEDED BASIS, DUE TO VENDOR FAILING TO BILL PROPERLY AND MISSING MULTIPLE DELIVERIES LIMITING THE TOWNSHIP VEHICLES TO FILL THEIR TANKS

JUNE 26, 2024

WHEREAS, the Township of Toms River is a member of the Ocean County Cooperative Pricing System, as authorized by N.J.S.A. 40A:11-11(6); and

WHEREAS, the Division of Purchasing is requesting authorization to utilize Ocean County Cooperative Pricing System, Contract #B2023-194 entitled “Gasoline and Diesel Fuel”, for the purchase of gasoline; and

WHEREAS, pursuant to bids received, a contract was awarded by the County of Ocean, as Lead Agency for the Ocean County Cooperative Pricing System, Contract #B2023-194, of which Toms River Township is an active participant, as authorized by N.J.S.A. 40A:11-11(6); and

WHEREAS, the aforementioned contract was awarded to Sunoco LLC, 3801 West Chester Pike, Newton Square, PA, 19073, on an as-needed basis;

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

1. It hereby authorizes to utilize Ocean County Cooperative B2023-194 entitled “Gasoline and Diesel Fuel” which expires December 5, 2025, to purchase gasoline from Sunoco LLC, 3801 West Chester Pike, Newton Square, PA, 19073, on an as-needed-basis.

2. The Township has been using the Stafford Township Cooperative vendor, Creative Management, but they have been less than satisfactory. They have failed to bill properly and have missed multiple deliveries, limiting Township vehicles to fill their tanks.

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 Ocean County Cooperative Pricing System, Contract #B2023-194.

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

- a) Division of Purchasing
- b) Acting Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Sunoco LLC
3801 West Chester Pike
Newton Square, PA 19073

L-June 26, 2024-07

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF AN OPEN-ENDED CONTRACT FOR THE FURNISHING AND DELIVERY OF MISCELLANEOUS PARTS FOR VARIOUS SANITATION COLLECTION CONTAINERS (BID-2024-158), FOR THE DIVISION OF ROADS AND SANITATION, TO OTTO ENVIRONMENTAL SYSTEMS, AND AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIAL TO ADVERTISE FOR REBID OF THOSE ITEMS WHICH RECEIVED NO BIDS

JUNE 26, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Furnishing and Delivery of Miscellaneous Parts for Various Sanitation Collection Containers for the Division of Roads and Sanitation; and

WHEREAS, only one (1) bid was received on May 30, 2024, as follows:

OTTO Environmental Systems – Line Items #1-7.

Line Items # 8-12 received no bids and shall be rebid.

WHEREAS, based upon a review of the bid received by the Division of Purchasing and Division of Roads and Sanitation, recommendation was made to award the contract to OTTO Environmental Systems, 12700 General Drive, Charlotte, NJ 28273-6415;

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 Furnishing and Delivery of Miscellaneous Parts for Various Sanitation Collection Containers for the Division of Roads and Sanitation to OTTO Environmental Systems as the sole bidder. The contract shall commence on the Date of Award for a period of twelve (12) consecutive months. The award of this contract shall be open-ended with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. 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.

2. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for two (2) additional twelve (12) month periods. 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

3. The appropriate Township Officials are hereby authorized to advertise for rebid of those items which received no bids.

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) Acting Chief Financial Officer
- c) Township Attorney
- d) Division of Roads and Sanitation
- e) OTTO Environmental Systems
12700 General Drive
Charlotte, NC 28273-6415

L-June 26, 2024-17

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AND ACCEPTING THE NAME CHANGE OF VENDOR FOR INSPECTION, TESTING, MONITORING, MAINTENANCE AND REPAIR SERVICES OF VARIOUS FIRE SYSTEMS, INCLUDING PORTABLE FIRE EXTINGUISHERS, FIRE SUPPRESSION SYSTEMS, WATER BASED FIRE PROTECTION SYSTEMS AND FIRE AND BURGLAR ALARMS, FROM CITY FIRE EQUIPMENT CO., INC. TO ENCORE FIRE PROTECTION LLC, DUE TO A COMPANY ACQUISITION, EFFECTIVE IMMEDIATELY

JUNE 26, 2024

WHEREAS, the Division of Purchasing is requesting authorization to change a vendor name from City Fire Equipment Co., Inc. to Encore Fire Protection LLC, due to a company acquisition; and

WHEREAS, by resolution dated April 26, 2023, the Township Council awarded a contract for Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems, including Portable Fire Extinguishers, Fire Suppression Systems, Water Based Fire Protection Systems and Fire and Burglar Alarms, to City Fire Equipment Co., Inc., for a three (3) year term ending on April 9, 2026; and

WHEREAS, the Township has been advised that due to a company acquisition, the current vendor name, City Fire Equipment Co., Inc. has been changed to Encore Fire Protection LLC, effectively immediately; and

WHEREAS, the Township Council authorizes acceptance of the vendor name change from City Fire Equipment Co., Inc. to Encore Fire Protection LLC, effective immediately, under the same contractual terms and conditions as originally awarded to City Fire Equipment Co., Inc. by resolution dated April 26, 2023, continuing through the balance of the contract term with the Township of Toms River;

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 acceptance of the vendor name change from City Fire Equipment Co. Inc. to Encore Fire Protection LLC, who will take over the current contract at the current rates, effective immediately, for the balance of the contractual term with the Township of Toms River, for the Inspection, Testing, Monitoring, Maintenance and Repair Services of Various Fire Systems, including Portable Fire Extinguishers, Fire Suppression Systems, Water Based Fire Protection Systems and Fire and Burglar Alarms. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. All other terms and conditions of the original contract awarded by resolution dated April 26, 2023, remain unchanged and in full force and effect through the remainder of the stated contractual term.

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

- a) Business Administrator
- b) Township Attorney
- c) Acting Chief Financial Officer
- d) Purchasing Division
- e) IT Department
- f) Encore Fire Protection LLC
70 Bacon Street
Pawtucket, RI 02860-0286
- g) City Fire Equipment Co., Inc.
733 Ridgedale Avenue
East Hanover, NJ 07936

L-June 26, 2024-10-name change

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE
AWARD OF AN OPEN-ENDED CONTRACT TO GALLS, LLC FOR THE
FURNISHING AND DELIVERY OF UNIFORM AND SPECIALTY ITEMS
REBID (BID-2024-125-1)**

JUNE 26, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Furnishing and Delivery of Uniform and Specialty Items rebid; and

WHEREAS, three (3) bids were received from the following vendors on May 30, 2024, as follows:

Action Uniform Co.
1500 S. New Road
Pleasantville, NJ 08232

Galls, LLC
1340 Russel Cave Road
Lexington, KY 40405

Keyport Army Navy
PO Box 985
Brick, NJ 08723

WHEREAS, the rebid has been reviewed by the Purchasing Division and the Department of Police, and they have recommended that the award of contract be made, as follows:

Galls, LLC - Line Item Nos. 50, 106, and 160

The bid received from Keyport Army Navy shall be rejected for failure to sign the Price Certification.

Action Uniform Co. was not responsible, responsive bidder.

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 Furnishing and Delivery of Uniform and Specialty Items rebid to:

Galls, LLC - Line Item Nos. 50, 106, and 160.

The bid received from Keyport Army Navy shall be rejected for failure to sign the Price Certification.

Action Uniform Co. was not responsible, responsive bidder.

Term of contract shall commence from the Date of Award through April 21, 2025. 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. This contract is subject to all terms and conditions of the bid specifications.

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

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) Acting Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Emergency Management
- f) Information Technology
- g) Aforementioned bidders

L-June 26, 2024-15

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
AN OPEN-ENDED CONTRACT FOR THE FURNISHING AND
DELIVERY OF WORK, SPORT AND LIFEGUARD CLOTHING REBID
(BID-2024-107-1) TO BMK SPORTS & APPAREL, LLC, AS THE
BIDDER MEETING ALL OF THE BID SPECIFICATIONS**

JUNE 26, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Furnishing and Delivery of Work, Sport and Lifeguard Clothing Rebid; and

WHEREAS, bids were received on May 30, 2024, from the following vendors:

BMK Sports & Apparel, LLC
14 Cayman Avenue
Toms River, NJ 08753

Keyport Army Navy
PO Box 985
Brick, NJ 08723

Bordova Innovations Inc.
915 Elizabeth Avenue
Linden, NJ 07036

WHEREAS, the bids have been reviewed by the Purchasing Division and the utilizing departments, and recommendation has been made to award an open-ended contract, as follows:

BMK Sports & Apparel, LLC, for Line Items: 71, 86, 230, 231, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, and 303.

The bids received from Keyport Army Navy and Bordova Innovations Inc. shall be rejected for failure to sign the Price Certification;

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 Furnishing and Delivery of Work, Sport and Lifeguard Clothing, as follows:

BMK Sports & Apparel, LLC, for Line Items: 71, 86, 230, 231, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, and 303.

2. The contract term shall commence from Date of Award through April 23, 2025. 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. 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, this contract may be extended for two (2) additional twelve (12) month periods. Contract extensions shall be subject to the availability and appropriation of funds each year the contract is to be extended. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

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) Acting Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Emergency Management
- f) Public Works Department
- g) Parks, Buildings & Grounds
- h) Recreation Department
- i) Senior Center
- j) Youth Center
- k) Winding River Ice Skating Rink
- l) Bey Lea Golf Course
- m) All Aforementioned Bidders

L-June 26, 2024-13

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

**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
FURNISHING AND DELIVERY OF PETERBILT REPAIR PARTS AND
PROVISION OF REPAIR SERVICES REBID
(BID-2024-149-1) TO HUNTER TRUCK, AS SOLE BIDDER**

JUNE 26, 2024

WHEREAS, the Division of Purchasing is requesting authorization to aware a contract for the Furnishing and Delivery of Peterbilt Repair Parts and Provision of Repair Services Rebid for the Division of Roads and Sanitation; and

WHEREAS, only one (1) bid was received on June 4, 2024, as follows

Vendor:	Discount off current Peterbilt Repair Parts Price List:
Hunter Truck 524 Monmouth Rd. Clarksburg, NJ 08510	<u>25%</u>
	Repairs Covered Under Warranty (per hour) \$195.00

WHEREAS, the bid has been reviewed by the Purchasing Division and the Division of Roads and Sanitation, and they have recommended that the award of contract be made to Hunter Truck;

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

1. It hereby awards an open-ended contract for the Furnishing and Delivery of Peterbilt Repair Parts and Provision of Repair Services Rebid. The contract shall commence retroactively to June 24, 2024 for a period of twenty-four (24) consecutive months.

2. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for up to two (2) additional one-year terms after the expiration of the original contract period. 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. 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.

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

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

- a) Purchasing Division
- b) Acting Chief Financial Officer
- c) Township Attorney
- d) Division of Roads and Sanitation
- e) Hunter Truck
524 Monmouth Rd.
Clarksburg, NJ 08510

L-June 26, 2024-22

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

**RESOLUTION AUTHORIZING THE TOWNSHIP OF TOMS RIVER
TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX
BILLS IN ACCORDANCE WITH P.L. 1994 c. 72**

June 26, 2024

WHEREAS, the local municipal budget for the year 2024 was introduced on the 24th day of April, 2024; and

WHEREAS, due to the School District's delay in adopting its budget, the Ocean County Board of Taxation is unable to certify the Township of Toms River's tax rate at this time, and the Township of Toms River Tax Collector will be unable to mail the Township's 2024 tax bills on a timely basis; and

WHEREAS, in order to meet statutory obligations to the County, School District and Fire Districts along with sustaining Municipal operations in meeting its financial obligations, maintaining the tax collection rate, providing uniformity for tax payments and save the unnecessary cost of interest on borrowing, the Chief Financial Officer in consultation with the Township of Toms River Tax Collector have computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and have both signed a certification attesting to the calculation:

WHEREAS, in accordance with Chapter 72 P.L. 1994, the Mayor and Township Council do not need the Director of the Division of Local Government Services to approve the estimated tax levy listed on the attached Schedule, which will enable the municipality to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments, and save the unnecessary cost of interest on borrowing; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Toms River, County of Ocean, State of New Jersey that the Township of Toms River Tax Collector is hereby authorized to prepare, and issue estimated tax bills for the third installment of the 2024 taxes;

BE IT FURTHER RESOLVED, that the Township of Toms River Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the third installment of 2024 based upon an annualized levy analysis totaling \$ 354,278,751.41 . The Tax Collector shall proceed and take such actions as are permitted and required by P.L. 1994, c. 72 (N.J.S.A. 55:4-66.2 and 54:4-66.3).

BE IT FURTHER RESOLVED, that in accordance with the law, third quarter installments of 2024 taxes shall not be subject to interest until the later of either: August 10, 2024 or twenty-five (25) calendar days after the date estimated bills were mailed. Contained on the estimated bill shall specify the date on which interest may begin to accrue.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Director of Finance/CFO
- d) Ocean County Board of Taxation
- e) Tax Collector
- f) Tax Assessor

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

RESOLUTION OF THE TOWNSHIP OF TOMS RIVER PROVIDING FOR AN ISSUE OF GENERAL OBLIGATION BONDS CONSISTING OF GENERAL IMPROVEMENT BONDS AND OPEN SPACE BONDS AUTHORIZING THE SALE OF \$32,996,000 PRINCIPAL AMOUNT OF GENERAL IMPROVEMENT BONDS, SERIES 2024 AND \$13,176,000 PRINCIPAL AMOUNT OF OPEN SPACE BONDS, SERIES 2024, AUTHORIZING ADVERTISEMENT OF A NOTICE OF SALE; AUTHORIZING THE ACTING CHIEF FINANCIAL OFFICER TO SELL AND AWARD THE BONDS; DETERMINING THE FORM AND OTHER DETAILS OF THE BONDS; AND AUTHORIZING OTHER MATTERS RELATING THERETO.

WHEREAS, the Township of Toms River, in the County of Ocean, New Jersey (the "Township") has adopted the bond ordinances listed on the attached Appendix A-1 and Appendix A-2 (collectively, the "Bond Ordinances") authorizing the issuance of obligations of the Township for the purpose of financing the general improvements and open space improvements described in the Bond Ordinances; and

WHEREAS, the Township Council has determined to finance permanently a portion of the costs of the general improvement projects and open space improvement projects undertaken pursuant to the Bond Ordinances by the issuance of not to exceed \$32,996,000 principal amount of general improvement bonds and not to exceed \$13,176,000 principal amount of open space bonds, respectively, of the Township, unless adjusted pursuant to Section 10 hereof; and

WHEREAS, the Township Council has determined to proceed with the public sale of said bonds for the purposes authorized in the Bond Ordinances.

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

Section 1. General Improvement Bonds, Series 2024, Authorization of Sale. The principal amount of general improvement bonds authorized to be issued pursuant to the Bond Ordinances described in Appendix A-1 hereto shall be issued as "General Improvement Bonds, Series 2024", in the aggregate principal amount not to exceed of \$32,996,000 unless adjusted pursuant to Section 10 hereof (the "GI Bonds"), and are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the general improvements financed by the Bonds is 17.90 years.

Section 2. Open Space Bonds, Series 2024, Authorization of Sale. The principal amount of open space bonds authorized to be issued pursuant to the Bond Ordinances described in Appendix A-2 hereto shall be issued as "Open Space Bonds, Series 2024", in the aggregate principal amount not to exceed of \$13,176,000 unless adjusted pursuant to Section 10 hereof (the

"Open Space Bonds", and together with the GI Bonds, the "Bonds") and are authorized to be sold in accordance with the terms of this Resolution.

The average period of usefulness for the open space improvements financed by the Open Space Bonds is 40 years.

Section 3. Public Sale of Bonds. The Bonds shall be issued and sold at a public sale upon electronic bids, in accordance with Section 10 hereof and the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented.

Section 4. Description of the Bonds. The Bonds of each series shall be dated the date of delivery, shall be in book-entry only form, shall bear interest at the rate or rates specified by the successful bidder therefor in accordance with the Notice of Sale hereinafter provided for, said interest to be payable on January 15 and July 15, commencing on January 15, 2025 and shall mature on January 15 in the following years and amounts:

GENERAL IMPROVEMENT BONDS, SERIES 2024

<u>Year</u>	<u>Principal Amount</u>
2025	\$1,250,000
2026	1,500,000
2027	1,390,000
2028	1,250,000
2029	1,326,000
2030	1,300,000
2031	1,380,000
2032	2,000,000
2033	2,000,000
2034	2,000,000
2035	2,100,000
2036	2,100,000
2037	2,200,000
2038	2,200,000
2039	2,250,000
2040	2,250,000
2041	2,250,000
2042	2,250,000

OPEN SPACE BONDS, SERIES 2024

<u>Year</u>	<u>Principal Amount</u>
2025	\$500,000
2026	600,000
2027	600,000
2028	600,000
2029	601,000
2030	600,000
2031	600,000
2032	600,000
2033	625,000
2034	650,000
2035	550,000
2036	575,000
2037	625,000
2038	650,000
2039	700,000
2040	700,000
2041	700,000
2042	700,000
2043	1,000,000
2044	1,000,000

The Bonds shall contain such other terms and conditions as are specified in the Notice of Sale, approved in Section 6 hereof (the "Notice of Sale"), and in the form of the Bonds, approved in Section 13 hereof.

Section 5. Redemption. (A) The Bonds of each series maturing prior to January 15, 2033 are not subject to redemption prior to their stated maturity. The Bonds of each series maturing on or after January 15, 2033 are subject to redemption, at the option of the Township, prior to their stated maturity and upon notice as hereinafter provided, at any time on or after January 15, 2032, in whole or part from such maturities as the Township shall determine and by lot within a single maturity, at the redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date.

(B) Any Bond subject to redemption as aforesaid may be called in part, provided that the portion not called for redemption shall be in the principal amount of \$5,000 or greater. If less than all of the Bonds of a particular series and maturity are to be redeemed, Bonds of that series and maturity shall be selected by the Acting Chief Financial Officer (or, if appointed pursuant to Section 16 hereof, the Paying Agent) by lot.

When any Bonds are to be redeemed, the Acting Chief Financial Officer (or, if appointed by Section 15 hereof, the Paying Agent) shall give notice of the redemption of the Bonds by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of

any Bonds or portions thereof which are to be redeemed not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such Bonds at their respective addresses as they last appear on the registration books of the Township. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Township shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding.

During any period in which The Depository Trust Company (or any successor thereto) shall act as securities depository for the Bonds of any series, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds of such series. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings.

Section 6 Approval of Notice of Sale. The Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix B and made a part hereof.

Section 7. Approval of Summary Notice of Sale. The Summary Notice of Sale containing other terms and provisions of the Bonds and setting forth the conditions of the sale thereof, all of which are hereby approved, shall be substantially in the form attached to this Resolution as Appendix C made a part hereof.

Section 8. Publication of Notice of Sale and Summary Notice of Sale. The Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Asbury Park Press, a newspaper circulating in the Township, and the Summary Notice of Sale substantially in the form attached to this Resolution shall be published at least once in The Bond Buyer, and/or such other nationally recognized local government bond marketing publication or electronic information service carrying municipal bond notices and devoted primarily to the subject of state and municipal bonds. The advertisement of said Notice of Sale and Summary Notice of Sale in each such medium shall be published not less than seven (7) days prior to the sale date for the Bonds. The Township Clerk or the Deputy Township Clerk, the Acting Chief Financial Officer and such other appropriate officials are hereby authorized and directed to publish the Notice of Sale and Summary Notice of Sale as aforesaid.

Section 9. Designation of Acting Chief Financial Officer to Award Bonds. Electronic proposals for the purchase of the Bonds shall be received by the Acting Chief Financial Officer on such date as shall be determined by the Acting Chief Financial Officer and set forth in the Notice of Sale and the Summary Notice of Sale, or such later date as may be established by the Acting Chief Financial Officer in accordance with Section 12 hereof. Electronic proposals will be received via the “PARITY Electronic Bid System” (PARITY), a nationally recognized electronic

securities bidding service approved by the Director of the Division of Local Government Services (the "Director") in the Department of Community Affairs, in an open auction in accordance with the terms and conditions set forth in the Notice of Sale authorized herein. Such proposals shall be received and announced in accordance with the Notice of Sale authorized herein. The Township Council hereby designates the Acting Chief Financial Officer to sell and award the Bonds in accordance with this Resolution and the Notice of Sale. The Acting Chief Financial Officer is hereby directed to report, in writing, to the Township at its first meeting after the sale of the Bonds as to the principal amount, interest rate and maturities of the Bonds sold, the price obtained and the name of the purchaser.

Section 10. Adjustment to Maturity Schedule. The Township may and expects to, after the receipt and opening of bids, adjust the maturity schedule of each series of the Bonds, provided however, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of bonds as specified herein and as adjusted will not exceed the amount authorized by the Bond Ordinances. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount as calculated from the bid and the Initial Public Offering Prices required to be delivered to the Township as stated herein. The Township shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the day of the sale and award of the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

Section 11. Postponement of Sale. The Acting Chief Financial Officer is hereby delegated the authority (if the Acting Chief Financial Officer deems it to be in the best interests of the Township) (i) to postpone from time to time the sale of the Bonds from the date specified in the Notice of Sale (or, in the case of a rescheduled sale, from such rescheduled date), in each case upon not less than 24 hours' notice (to the extent practicable), and (ii) to reschedule such sale upon not less than 48 hours' notice. Notice of any such postponement and rescheduling shall be given in the manner specified in the Notice of Sale. In the event of any such postponement and rescheduling, the Acting Chief Financial Officer may (and shall, if required by the Local Bond Law) cause a revised Notice of Sale and a revised Summary Notice of Sale to be prepared and published.

Section 12. Authorization for Official Statement. The distribution by the Township, and its Municipal Advisor, of the Preliminary Official Statement relating to the Bonds and the Notes (a draft of which is attached hereto as Exhibit A and shall be filed with the records of the Township) is hereby approved in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer executing the same may approve, such approval to be evidenced by such Township officer's execution thereof. The Acting Chief Financial Officer is hereby authorized to deem the Preliminary Official Statement "final" within the meaning of Rule 15c2-12 of the Rules of the Securities and Exchange Commission and to execute and deliver a certificate to that effect. The Acting Chief Financial Officer is hereby authorized to approve the contents and terms of the final

Official Statement in respect of the Bonds and the Notes in substantially the form of the Preliminary Official Statement. The Acting Chief Financial Officer is hereby authorized to sign such Official Statement on behalf of the Township, in substantially such form, with such insertions, deletions and changes therein and any supplements thereto as bond counsel may advise and the Township officer executing the same may approve, such approval to be evidenced by such Township officer's execution thereof.

Section 13. Approval of Form of Bonds. The form of the Bonds, substantially as set forth in Appendix D attached hereto and made a part hereof, is hereby approved. The Bonds shall be executed in the name of the Township by the manual or facsimile signature of the Mayor and the Acting Chief Financial Officer and the seal of the Township, or a facsimile impression thereof, shall be affixed to the Bonds and attested by the manual signature of the Township Clerk or the Deputy Township Clerk.

Section 14. Appointment of Securities Depository. The Depository Trust Company, Brooklyn, New York ("DTC"), shall act as securities depository for the Bonds. The ownership of one fully registered bond for each maturity of Bonds, each in the aggregate principal amount of such maturity, will be registered in the name of Cede & Co., as nominee for DTC.

Pursuant to the book-entry only system, any person for whom a DTC Participant acquires an interest in the Bonds (the "Beneficial Owner") will not receive certificated Bonds and will not be the registered owner thereof. Ownership interests in the Bonds may be purchased by or through DTC Participants. Each DTC Participant will receive a credit balance in the records of DTC in the amount of such DTC Participant's interest in the Bonds, which will be confirmed in accordance with DTC's standard procedures. Receipt by the Beneficial Owners (through any DTC Participant) of timely payment of principal, premium, if any, and interest on the Bonds, is subject to DTC making such payment to DTC Participants and such DTC Participants making payment to Beneficial Owners. Neither the Township nor the Paying Agent will have any direct responsibility or obligation to such DTC Participants or the persons for whom they act as nominees for any failure of DTC to act or make any payment with respect to the Bonds.

The appropriate officers of the Township are hereby authorized to execute a Letter of Representation to DTC and such other documents as may be necessary or desirable in connection with DTC's services as securities depository.

DTC may determine to discontinue providing its services with respect to the Bonds of any series at any time by giving notice to the Township and discharging its responsibilities with respect thereto under applicable law. Under such circumstances, the Township shall designate a successor securities depository or deliver certificates to the beneficial owners of the Bonds.

Section 15. Appointment of Paying Agent and Bond Registrar. The Acting Chief Financial Officer is hereby delegated the authority to appoint any bank, trust company or national banking association having the power to accept and administer trusts to serve as Paying Agent and Bond Registrar for the Bonds. The Paying Agent and Bond Registrar shall signify its acceptance of the duties imposed upon it by this Resolution by a written certificate delivered to the Township prior to the delivery of the Bonds.

Section 16. Tax Covenant. The Township hereby covenants with the holders from time to time of the Bonds that it will make no investment or other use of the proceeds of such Bonds or take any further action (or refrain from taking such action) which would cause such Bonds or Notes to be "arbitrage bonds" within the meaning of the Internal Revenue Code of 1986, as amended, or under any similar statutory provision or any rule or regulation promulgated thereunder (the "Code"), or would cause interest on such Bonds not to be excludable from gross income for federal income tax purposes, and that it will comply with the requirements of the Code and said regulations throughout the term of such Bonds.

Section 17. Pledge of Township. The full faith and credit of the Township is hereby pledged for the payment of the principal, redemption premium, if any, and interest on the Bonds. The Bonds shall be direct obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the principal of and interest on the Bonds without limitation as to rate or amount.

Section 18. Continuing Disclosure. The form of the Continuing Disclosure Certificate for the Bonds (the "Continuing Disclosure Certificate"), in substantially the form attached hereto as Appendix E is hereby approved, and the execution of the Continuing Disclosure Certificate by the Acting Chief Financial Officer of the Township is hereby authorized. The Township hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate executed by the Township and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Notwithstanding any other provision of this Resolution, failure of the Township to comply with the Continuing Disclosure Certificate shall not be considered a default on the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the Township to comply with its obligations under this Section.

Section 19. Further Action. The proper officers of the Township are hereby authorized and directed to take all such action as may be necessary to affect the issuance and delivery of the Bonds.

Section 20. Effective Date. This Resolution shall take effect immediately.

Adopted: June 26, 2024

CERTIFICATE

I, Michael Cruoglio, Municipal Clerk of the Township of Toms River, in the County of Ocean, New Jersey, HEREBY CERTIFY that the foregoing copy of the resolution of the Township Council, duly adopted on June 26, 2024, has been compared by me with the original resolution as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Township this _____ day of _____, 2024.

Michael Cruoglio, Municipal Clerk

[SEAL]

EXHIBIT A

Form of Preliminary Official Statement

APPENDIX A-1

BOND ORDINANCE NUMBER	DATE OF ADOPTION	ORIGINAL BOND AUTHORIZATION	PERIOD OF USEFULNESS	AMOUNT TO BE ISSUED
4463-14	11/10/2014	\$3,207,000	18.1575 years	\$30,000.00
4466-14	11/10/2014	\$1,193,330	12.1083 years	\$7,800.00
4507-16	04/27/16	\$9,785,000	40 years	\$1,060,000
4565-17	12/26/17	\$7,170,362	14.78613 years	\$150,000
4567-17	12/26/17	\$617,500	20 years	\$390,000
4612-18	11/15/18	\$1,740,400	14.24917 years	\$9,985.92
4639-19	07/23/19	\$3,246,625	14,.72225 years	\$65,188.76
4641-19	08/13/19	\$3,242,825	12.92735 years	\$40,000
4673-20	07/14/20	\$11,102,099	11.83 years	\$2,005,371.90
4683-20	10/24/20	\$4,750,000	23.43 years	\$725,000
4708-21	08/10/21	\$9,592,305	16.60 years	\$6,675,000
4741-22	03/23/22	\$11,732,000	16.77 years	\$9,976,456.66
4742-22	03/23/22	\$12,570,000	13.05 years	\$6,427,612.91
4772-23	05/10/23	\$13,999,000	16.38171 years	\$3,648,472.43
4789-23	09/27/23	\$2,000,000	40 years	\$1,785,111.42

APPENDIX A-2

BOND ORDINANCE NUMBER	DATE OF ADOPTION	ORIGINAL BOND AUTHORIZATION	PERIOD OF USEFULNESS	AMOUNT TO BE ISSUED
4743-22	05/11/22	\$4,000,000	40 years	\$3,749,529.32
4763-22	12/28/22	\$1,904,000	40 years	\$1,714,000.00
4778-23	05/10/23	\$4,285,000	40 years	\$4,185,000.00
4780-23	05/24/23	\$6,610,000	40 years	\$3,527,470.68

APPENDIX B
NOTICE OF SALE

TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY
\$46,172,000* GENERAL OBLIGATION BONDS, SERIES 2024

Consisting of:

\$32,996,000* GENERAL IMPROVEMENT BONDS, SERIES 2024,

and

\$13,176,000* OPEN SPACE BONDS, SERIES 2024

(Book-Entry-Only) (Callable)

ELECTRONIC PROPOSALS will be received and announced by the Acting Chief Financial Officer of the Township of Toms River, a municipal corporation of the State of New Jersey located in the County of Ocean, New Jersey (the "Township"), at the Municipal Building located at 33 Washington Street, Toms River, New Jersey, through the PARITY Electronic Bid System ("PARITY") of IPREO LLC, as described herein, on Thursday, July 11, 2024 (unless postponed and rescheduled as provided herein) until 11:30 a.m., prevailing local time, in accordance with N.J.S.A. 40A:2-27, for the purchase of the following described bonds:

\$46,172,000* General Obligation Bonds, Series 2024 consisting of \$32,996,000* General Improvement Bonds, Series 2024, and \$13,176,000* Open Space Bonds, Series 2024, maturing on January 15 in the years and in the amounts set forth below (collectively, the "Bonds"):

<u>Year</u>	<u>General Improvement Bonds, Series 2024*</u>	<u>Open Space Bonds, Series 2024*</u>	<u>Total*</u>
2025	\$1,250,000	\$500,000	\$ 1,750,000
2026	1,500,000	600,000	2,100,000
2027	1,390,000	600,000	1,990,000
2028	1,250,000	600,000	1,850,000
2029	1,326,000	601,000	1,927,000
2030	1,300,000	600,000	1,900,000
2031	1,380,000	600,000	1,980,000
2032	2,000,000	600,000	2,600,000
2033	2,000,000	625,000	2,625,000
2034	2,000,000	650,000	2,650,000
2035	2,100,000	550,000	2,650,000
2036	2,100,000	575,000	2,675,000
2037	2,200,000	625,000	2,825,000
2038	2,200,000	650,000	2,850,000
2039	2,250,000	700,000	2,950,000
2040	2,250,000	700,000	2,950,000
2041	2,250,000	700,000	2,950,000
2042	2,250,000	700,000	2,950,000
2043	-	1,000,000	1,000,000
2044	-	1,000,000	1,000,000
TOTAL	\$32,996,000	\$13,176,000	\$46,172,000

*Preliminary, subject to change as described herein.

All Bids (as defined below) must be submitted in their entirety through PARITY until 11:30 a.m., New Jersey time on July 11, 2024 (see “Bidding Details”). To bid, Bidders (as defined below) must submit either (i) a certified, treasurer’s or cashier’s check or (ii) complete a wire transfer, in either case in the amount of \$923,440 (the check or wire transfer being hereinafter referred to as the “Deposit”), to secure the Township from any loss resulting from a failure of the bidder to comply with the terms of its bid. The Deposit must be submitted to the Township prior to the time for submission of bids, and if in the form of a certified, treasurer’s or cashier’s check, at the following address:

**Jonathan Salonis, Acting Chief Financial Officer
Township of Toms River
33 Washington Street
Toms River, New Jersey 08753**

If a wire transfer is used for the Deposit, it must be sent according to the wire instructions provided by the Township's Municipal Advisor, NW Financial Group, LLC, 522 Broad Street, Bloomfield, NJ 07003, telephone number 201-656-0115, email hlitzebauer@nwfinancial.com, Attention: Heather Litzebauer (please contact the Municipal Advisor for wire instructions) and if the bid is not accepted, the Township shall promptly return the Deposit amount to the unsuccessful bidder. **EACH BIDDER MUST PROVIDE THEIR RETURN WIRE INSTRUCTIONS.**

The use of PARITY shall be at the Bidder’s risk and expense, and the Township shall have no liability with respect thereto.

Checks of unsuccessful bidders will be returned upon the award of the Bonds. Any bidder that does not have a representative present at the bid announcement is requested to include with its good faith deposit overnight packaging or other return envelope for the return of its Deposit (if not the successful bidder). In the absence of other arrangements, the check of any unsuccessful bidder will be returned by certified first class mail to such name and return address as specified by such bidder when such Deposit was provided. By submitting a proposal for the Bonds, each bidder shall be deemed to have accepted any and all risks of loss associated with the return of its Deposit. Upon return of its Deposit, each such unsuccessful bidder shall acknowledge same by signing and returning a receipt to such effect provided by the Township. If a wire transfer is used, such transfer must be completed and confirmed received by the Township prior to the opening of the bids.

The Deposit of the winning bidder will be applied to the purchase price of the Bonds. In the event the winning bidder fails to comply with the terms of its accepted bid, the Deposit will be retained by the Township as liquidated damages. The winning bidder shall not be entitled to any interest earnings in respect of the Township.

The Bonds are to be issued in book-entry form only and all bidders for the Bonds must be participants of the Depository Trust Company, New York, New York ("DTC") or affiliated with its participants. The Bonds will be issued in the form of one certificate for the aggregate principal amount of Bonds of each series maturing in each year and will be payable as to both principal and interest in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of DTC, which will act as Securities Depository. The certificate will be deposited with DTC which will be responsible for maintaining a book-entry system for recording the interests of its participants and the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership

interests in the Bonds on behalf of the individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or greater through book entries made on the books and records of DTC and its participants.

The Bonds will be dated the date of delivery, and will bear interest at the rate or rates per annum specified by the successful bidder therefor in accordance herewith, payable semi-annually on January 15 and July 15 in each year commencing January 15, 2025, until maturity, to DTC or its authorized nominee. DTC will credit payments of principal of and interest on the Bonds to the participants of DTC as listed on the records of DTC.

The Bonds **will not be** designated “Qualified Tax-Exempt Obligations” for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The Bonds of each series maturing prior to January 15, 2033 are not subject to redemption prior to their stated maturity. The Bonds of each series maturing on or after January 15, 2033 are subject to redemption, at the option of the Township, prior to their stated maturity and upon notice as hereinafter provided, at any time on or after January 15, 2032, in whole or part from such maturities as the Township shall determine and by lot within a single maturity, at the redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date.

In the event (a) DTC determines not to continue to act as Securities Depository for the Bonds or (b) the Township determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Township will discontinue the book-entry system with DTC. If the Township fails to identify another qualified securities depository to replace DTC, the Township will deliver replacement bonds in the form of fully registered certificates.

The Bonds are general obligations of the Township and are secured by a pledge of the full faith and credit of the Township for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the Township without limitations as to rate or amount.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of one-eighth or one-twentieth of one per centum. Not more than one rate may be named for the Bonds of the same maturity. There is no limitation on the number of rates that may be named. **The difference between the lowest and the highest rates named in the proposal shall not exceed three per centum (3%).** The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest true interest cost (“TIC”). Such TIC cost shall be computed by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the bonds and to the price bid, excluding interest accrued to the delivery date. **Each proposal submitted must be for all of the Bonds and the purchase price specified in the proposal must be not less than \$46,172,000 nor more than \$48,480,600 (105%).** No proposal shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale or under which the total loan is made at a TIC higher than the lowest TIC to the Township under any legally acceptable proposal, and if two or more such bidders offer to pay the lowest TIC, then the Bonds will be sold to one of such bidders selected by lot from among all such bidders. The purchaser must also pay

an amount equal to the interest (if any) on the Bonds accrued to the date of payment of the purchase price. The right is reserved to reject all bids and to reject any bid not complying with this Notice.

It is requested that each proposal be accompanied by a computation of the TIC to the Township under the terms of the proposal in accordance with the method of calculation described in the preceding paragraph (computed to six decimal places), but such computation is not to be considered as part of the proposal for Bonds. Determinations of TIC by the Township shall be final.

The Acting Chief Financial Officer of the Township may determine to postpone, upon not less than 24 hours' notice, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED ON THOMSON MUNICIPAL MARKET MONITOR ("TM3") (www.tm3.com) AND/OR PARITY, BEFORE 4:00 P.M. ON THE DAY BEFORE THE SALE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced through TM3 at least forty-eight (48) hours prior to such alternative sale date. On any such alternative sale date, any Bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of the Notice of Sale, except for the date of sale and except for the changes announced on TM3 at the time the sale date and time are announced.

Each electronic proposal must be submitted through PARITY. No bidder will see any other bid, nor will any bidder see the status of its bid relative to other bids—i.e., whether its bid is a leading bid. To the extent any instructions or directions set forth on PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may call PARITY at IPREO at (212) 849-5021. The Township may, but is not obligated to, acknowledge its acceptance in writing of any bid submitted electronically through PARITY. In the event that a bid for the Bonds is submitted through PARITY, the bidder further agrees that the Township may regard the electronic transmission of the bid through PARITY (including information about the purchase price of the Bonds, the interest rate or rates to be borne by the Bonds, , the initial public offering price of each maturity of the Bonds and any other information included in such transmission) as though the same information were submitted on the official "Proposal for Bonds" provided by the Township and executed by a duly authorized signatory of the bidder. If a bid submitted electronically through PARITY is accepted by the Township, the terms of the official "Proposal for Bonds" and this Notice of Sale and the information that is electronically transmitted through PARITY shall form a contract, and the successful bidder shall be bound by the terms of such contract.

The Township may and expects to, after the receipt and opening of bids, adjust the maturity schedule of the Bonds, provided however, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of bonds as specified herein and as adjusted will not exceed the amount authorized by the Bond Ordinances. The dollar amount bid by the successful bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of bonds to be issued. The adjusted bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount as calculated from the bid and the Initial Public Offering Prices required to be delivered to the Township as stated herein. The Township shall notify the successful bidder of the final maturity schedule and the resulting adjusted purchase price no later than 5:00 p.m., New Jersey time, on the

day of the sale and award of the Bonds. The interest rate or rates specified by the successful bidder for each maturity will not be altered.

PARITY is not an agent of the Township, and the Township shall have no liability whatsoever based on any bidder's use of PARITY, including but not limited to any failure by PARITY to correctly or timely transmit information provided by the Township or information provided by the bidder.

The Township may choose to discontinue use of electronic bidding through PARITY by issuing a notification to such effect through TM3, or by other available means, no later than 4:00 p.m., New Jersey Time, on the last business date prior to the bid date.

Once the bids are communicated electronically through PARITY to the Township, each bid will constitute an official "Proposal for Bonds" and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all "Proposals for Bonds," whether electronically or sealed, the time as maintained on PARITY shall constitute the official time.

Each bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the Township nor IPREO shall have any duty or obligation to any bidder, or be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by PARITY. The Township is using PARITY as a communication mechanism, and not as the Township's agent, to conduct the electronic bidding for the Bonds. By using PARITY each bidder agrees to hold the Township harmless for any harm or damages caused to such bidder in connection with its use of PARITY for bidding on the Bonds.

Bidders should be aware of the following bidding details ("Bidding Details") associated with the sale of the Bonds:

1. BIDDERS MUST SUBMIT GOOD FAITH CHECK OR WIRE TRANSFER (PLEASE CONTACT THE MUNICIPAL ADVISOR FOR WIRE INSTRUCTIONS) IN THE AMOUNT OF \$923,440 PAYABLE TO THE TOWNSHIP NO LATER THAN 11:30 A.M. ON THE DAY OF SALE. HOWEVER, BIDDERS ARE ENCOURAGED TO SUBMIT CHECKS ON THE DAY PRIOR TO THE SALE TO ASSURE RECEIPT OF PAYMENT BY THE TOWNSHIP AT THE FOLLOWING ADDRESS:

**Jonathan Salonis, Acting Chief Financial Officer
Township of Toms River
33 Washington Street
Toms River, New Jersey 08753**

BIDDERS SUBMITTING GOOD FAITH CHECKS SHOULD ALSO ENCLOSE A RETURN ENVELOPE FOR USE BY THE TOWNSHIP.

2. All Bids must be submitted through PARITY. No telephone, telefax, telegraph or personal delivery Bids will be accepted.

3. All Bids for the Bonds must be submitted on an "All or None" ("AON") basis.

4 Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of 1/8 or 1/20 of 1%. Not more than one rate may be named for the Bonds of the same maturity. There is no limitation on the number of rates that may be named. **The difference between the lowest and the highest rates named in the proposal shall not exceed three per centum (3%). Each proposal submitted must state the purchase price, which must be not less than \$46,172,000 nor more than \$48,480,600 (105%).** The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest TIC (as such term is defined herein). No proposal shall be considered that offers to pay an amount less than the principal amount of the Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest TIC to the Township under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price, if any.

5. Bidders are only permitted to submit Bids for the Bonds during the bidding period.

Definitions

“Bid”	any confirmed purchase offer received by PARITY on or before the proposal submission deadline.
“Bidder”	any firm registered and approved for participation in sale.
“True Interest Cost” or “TIC”	computed by determining the interest rate, compounded semi-annually, necessary to discount the debt service payments to the date of the Bonds and to the price bid, excluding interest accrued to the delivery. The TIC serves as the basis for awarding bonds to winning Bidders.
“Winning Bid”	any purchase offer made by a Bidder and received by PARITY that, at the end of the bidding time period, results in the lowest TIC that is acceptable to the Township.

The successful bidder may, at its option, refuse to accept the Bonds if prior to their delivery any income tax law of the United States of America shall provide that the interest thereon is includable in gross income for federal income tax purposes, or shall be so includable at a future date. In such case the deposit made by the bidder shall be returned and it will be relieved of its contractual obligations arising from the acceptance of its proposal.

The Township reserves the right to reject any and all bids, and any bids not complying with provisions hereof or New Jersey law will be rejected. The Township also reserves the right to waive any and all irregularity in any bid, to take any action adjourning or postponing the sale of the Bonds or to take any other action the Township may deem to be in the best interest of the Township.

The purchaser shall be obligated to furnish to the Township, when and if requested prior to the delivery of the Bonds, such information requested by the Township as shall be necessary to enable the Township to determine the "issue price" of the Bonds as defined in Section 1273 and 1274 of the Internal Revenue Code of 1986, as amended (the "Code").

Establishment of Issue Price

(a) The winning bidder shall assist the Issuer in establishing the issue price of the Bonds and shall execute and deliver to the Issuer at Closing an “issue price” or similar certificate setting forth the reasonably expected initial offering price to the Public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the forms reflected as Addendums A, B or C, which are incorporated by reference herein and are available from Bond Counsel and shall be posted with the Preliminary Official Statement and Notice of Sale on Parity, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the Issuer and Bond Counsel. All actions to be taken by the Issuer under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the Issuer by the Issuer’s Municipal Advisor identified herein and any notice or report to be provided to the Issuer may be provided to the Issuer’s Municipal Advisor or Bond Counsel.

(b) The Issuer intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining “competitive sale” for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the “competitive sale requirements”) because:

(1) the Issuer shall disseminate this Notice of Sale to potential Underwriters in a manner that is reasonably designed to reach potential Underwriters;

(2) all bidders shall have an equal opportunity to bid;

(3) the Issuer may receive bids from at least three Underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and

(4) the Issuer anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

(c) If the successful bidder is purchasing for its own account without a present intention to reoffer the Bonds, it must complete Addendum A, and the provisions of paragraphs (d)-(i) below shall not apply.

(d) In the event that paragraph (c) does not apply and the Competitive Sale Requirements are satisfied, the winning bidder must complete Addendum B, and the provisions of paragraphs (e)-(i) below shall not apply.

(e) In the event that paragraph (c) does not apply and the Competitive Sale Requirements are not satisfied, the Issuer shall so advise the winning bidder and the winning bidder must complete Addendum C. The Issuer may determine to treat (i) the first price at which 10% of a Maturity of the Bonds (the “10% test” is sold to the Public as the issue price of that Maturity and/or (ii) the initial offering price to the Public as of the Sale Date of any Maturity of the Bonds as the issue price of that Maturity (the “hold-the-offering-price rule”), in each case applied on a

Maturity-by-Maturity basis (and if different interest rates apply within a Maturity, to each separate CUSIP number within that Maturity). Immediately following the award of the Bonds, the winning bidder shall advise the Issuer if any Maturity of the Bonds satisfies the 10% test. Any Maturity (and if different interest rates apply within a Maturity, any separate CUSIP number within that Maturity) of the Bonds as to which the winning bidder has not so advised the Issuer that the 10% test has been satisfied shall be subject to the hold-the-offering-price rule. Bids will not be subject to cancellation in the event that the hold-the-offering-price rule applies to any Maturity of the Bonds. Bidders should prepare their bids on the assumption that some or all of the maturities of the Bonds will be subject to the hold-the-offering-price rule in order to establish the issue price of the Bonds.

(f) By submitting a bid, the winning bidder shall (i) confirm that the Underwriters have offered or will offer the Bonds to the Public on or before the date of award at the offering price or prices (the “initial offering price”), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder and (ii) agree, on behalf of the Underwriters participating in the purchase of the Bonds, that the Underwriters will neither offer nor sell unsold Bonds of any Maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the Public during the period starting on the Sale Date and ending on the earlier of the following:

- (1) the close of the fifth (5th) business day after the Sale Date; or
- (2) the date on which the Underwriters have sold at least 10% of that Maturity of the Bonds to the Public at a price that is no higher than the initial offering price to the Public.

The winning bidder will advise the Issuer promptly after the close of the fifth (5th) business day after the Sale Date whether it has sold 10% of that Maturity of the Bonds to the Public at a price that is no higher than the initial offering price to the Public.

(g) If the competitive sale requirements are not satisfied, then until the 10% test has been satisfied as to each Maturity of the Bonds, the winning bidder agrees to promptly report to the Issuer the prices at which the unsold Bonds of that Maturity have been sold to the Public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that Maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that Maturity; provided that, the winning bidder’s reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Issuer or Bond Counsel.

(h) The Issuer acknowledges that, in making the representations set forth above, the winning bidder will rely on (i) the agreement of each Underwriter to comply with the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in an agreement among Underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the Public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an Underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale

of the Bonds to the Public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The Issuer further acknowledges that each Underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, and that no Underwriter shall be liable for the failure of any other Underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement to comply with its corresponding agreement regarding the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds.

(i) By submitting a bid, each bidder confirms that: (i) any agreement among Underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each Underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable:

(A)(i) to report the prices at which it sells to the Public the unsold Bonds of each Maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that Maturity allocated to it have been sold or it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that Maturity; provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals upon request of the winning bidder and (ii) to comply with the hold-the-offering-price rule, if applicable, if and for so long as directed by the winning bidder and as set forth in the related pricing wires, (B) to promptly notify the winning bidder of any sales of Bonds, that, to its knowledge are made to a purchaser who is a related party to an Underwriter participating in the initial sale of the Bonds to the Public, and (C) to acknowledge that, unless otherwise advised by the Underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the Underwriter, dealer or broker-dealer is a sale to the Public.

(ii) any agreement among Underwriters or selling group agreement relating to the initial sale of the Bonds to the Public, together with the related pricing wires, contains or will contain language obligating each Underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the Public to require each broker-dealer that is a party to such third-party distribution agreement to (A) report the prices at which it sells to the Public the unsold Bonds of each Maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that Maturity allocated to it have been sold or it is notified by the winning bidder or such Underwriter that either the 10% test has been satisfied as to the Bonds of that Maturity; provided that the reporting obligation after the Closing Date may be at reasonable periodic intervals upon request of the winning bidder and (B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder or such Underwriter and as set forth in the related pricing wires.

(j) Sales of any Bonds to any person that is a related party to an Underwriter participating in the initial sale of the Bonds to the Public shall not constitute sales to the Public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

(i) “Public” means any person other than an Underwriter or a related party,

(ii) “Underwriter” means (A) any person that agrees pursuant to a written contract with the Issuer (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public),

(iii) a purchaser of any of the Bonds is a “related party” to an Underwriter if the Underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(iv) “Sale Date” means the date that the Bonds are awarded by the Issuer to the winning bidder.

A Preliminary Official Statement has been prepared and is available for viewing in electronic format on www.mcelweeandquinn.com and may also be obtained from the Township's Municipal Advisor identified in the last paragraph of this Notice. The Preliminary Official Statement is deemed to be a final official statement, as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission, but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The Preliminary Official Statement, as so revised, will constitute the final "Official Statement". By the submission of a bid for the Bonds, the successful bidder contracts for the receipt, within seven (7) business days of the award of the Bonds, of a reasonable number of copies of the final Official Statement at the expense of the Township, with any additional copies of the final Official Statement that the successful bidder shall reasonably request to be provided at the sole cost and expense of the successful bidder. In order to complete the final Official Statement, the successful bidder must furnish the following information to the Township's Municipal Advisor and Bond Counsel by email or facsimile transmission or overnight delivery received by the Township's Municipal Advisor and Bond Counsel within twenty-four (24) hours after the award of the Bonds: (a) initial offering prices (expressed as a price, exclusive of accrued interest, or yield per maturity), and (b) any other material information necessary for the final Official Statement but not known to the Township (such as the bidder's purchase of credit enhancement). In addition, the successful bidder must, if requested by the Township, furnish a written confirmation of its bid.

The Township will undertake to provide certain continuing disclosure in accordance with Rule 15c2-12 of the Securities and Exchange Commission. A description of this undertaking is

contained in the Preliminary Official Statement under the heading "SECONDARY MARKET DISCLOSURE".

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made within two (2) hours after announcement of the bids, but such successful bidder may not withdraw its proposal until after 5:30 p.m. of the day of such bid-opening and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in immediately available funds by wire transfer to the Township on the delivery date of the Bonds.

If a proposal is accepted but the Township shall fail to deliver the Bonds to the successful bidder in accordance with the terms and conditions of its proposal, the Deposit shall be returned to such bidder. If a proposal is accepted but the successful bidder shall default in the performance of any of the terms and conditions of its proposal, the Deposit shall be retained by the Township as and for liquidated damages.

The Bonds will be delivered through DTC on or before July 25, 2024, or such other date agreed to by the Township and the successful bidder. PAYMENT FOR THE BONDS AT THE TIME OF THE CLOSING SHALL BE IN IMMEDIATELY AVAILABLE FEDERAL FUNDS.

If the Bonds qualify for issuance of any policy of municipal bond insurance, the purchaser of the Bonds may, at its sole option and expense, purchase such insurance. Any failure of the Bonds to be so insured shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds. The CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

The obligation hereunder to deliver and accept the Bonds shall be conditioned on the availability and the delivery at the time of delivery of the Bonds of: (a) the approving opinion of the law firm of Dilworth Paxson LLP, Freehold, New Jersey, Bond Counsel, which will be furnished without cost to the successful bidder, substantially to the effect set forth in the Preliminary Official Statement referred to below; (b) certificates in form satisfactory to said law firms evidencing the proper execution and delivery of the Bonds and receipt of payment therefor, and compliance with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") necessary to preserve the tax exemption as to the Bonds; (c) a certificate, in form and tenor satisfactory to said law firm and dated as of the date of such delivery, to the effect that there is no litigation pending or, to the knowledge of the signer or signers thereof, threatened affecting the validity of the Bonds; and (d) the Township's Continuing Disclosure Certificate substantially in the form described in the Preliminary Official Statement.

In order to assist bidders in complying with SEC Rule 15c2-12(b)(5), the Township will undertake, pursuant to a Continuing Disclosure Certificate, to provide certain annual information and notices of the occurrence of certain events, if material. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the final Official Statement.

The successful bidder is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission (“ELEC”) pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271, s.3) if the successful bidder enters into agreements or contracts, such as its agreement to purchase the Bonds, with a public entity, such as the Township and receives compensation or fees in excess of \$50,000 in the aggregate from public entities, such as the Township, in a calendar year. It is the successful bidder’s responsibility to determine if filing is necessary. Failure to do so can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us.

The successful bidder, by submitting its bid, agrees that no later than the end of business on the day of bid opening, it will provide in writing to the Acting Chief Financial Officer and the Township’s Municipal Advisor, the initial offering price to the public at which a substantial portion of the Bonds of each maturity were sold to the public. To provide the Township with information necessary for compliance with Section 148 of the Code, the successful bidder will be required to complete, execute and deliver to the Township prior to the delivery of the Bonds a certificate regarding the “Issue Price” of the Bonds (as defined in Section 148 of the Code), reflecting the initial offering prices (excluding accrued interest and expressed as dollar prices) at which a substantial amount (i.e., 10% or more) of the Bonds of each maturity have been sold to the public. The term “public” excludes bond houses, brokers, or similar persons, or organizations acting in the capacity of underwriters or wholesale. Such certificates shall state that 10% or more of the Bonds of each maturity have been sold to the public at prices no higher than such initial offering prices.

Copies of the Preliminary Official Statement may be obtained from the Township's Municipal Advisor, NW Financial Group, LLC, 522 Broad Street, Bloomfield, NJ 07003, telephone number 201-656-0115, email hlitzebauer@nwfinancial.com, Attention: Heather Litzebauer.

Dated: July 3, 2024

BY: /s/ Jonathan Salonis,
Acting Chief Financial Officer
Township of Toms River
County of Ocean, New Jersey

The following Addendums are incorporated by reference in the Notice of Sale:

ADDENDUM A TO NOTICE OF SALE

**TOWNSHIP OF TOMS RIVER,
IN THE COUNTY OF OCEAN, NEW JERSEY**

\$___ GENERAL OBLIGATION BONDS, SERIES 2024
Consisting of:
\$___ GENERAL IMPROVEMENT BONDS, SERIES 2024,
and
\$___ OPEN SPACE BONDS, SERIES 2024

CERTIFICATE OF THE PURCHASER

(NO REOFFERING PURCHASER)

The undersigned, on behalf of _____ (the “Purchaser”), hereby certifies as set forth below with respect to the purchase of the above-captioned obligations (the “Bonds”).

1. ***Purchase of the Bonds.*** On the date of this certificate, the Purchaser is purchasing the Bonds for the amount of _____. The Purchaser is not acting as an Underwriter with respect to the Bonds. The Purchaser has no present intention to sell, reoffer, or otherwise dispose of the Bonds (or any portion of the Bonds or any interest in the Bonds). The Purchaser has not contracted with any person pursuant to a written agreement to have such person participate in the initial sale of the Bonds and the Purchaser has not agreed with the Issuer pursuant to a written agreement to sell the Bonds to persons other than the Purchaser or a related party to the Purchaser.

2. ***Defined Terms.***

(a) ***Public*** means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(b) ***Underwriter*** means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents the Purchaser’s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax or Arbitrage Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Dilworth Paxson LLP, Bond Counsel to the Issuer, in connection with rendering its opinion

that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[PURCHASER]

By: _____

Name: _____

Title: _____

Dated: _____

ADDENDUM B TO NOTICE OF SALE

**TOWNSHIP OF TOMS RIVER,
IN THE COUNTY OF OCEAN, NEW JERSEY**

\$ ___ GENERAL OBLIGATION BONDS, SERIES 2024
Consisting of:
\$ ___ GENERAL IMPROVEMENT BONDS, SERIES 2024,
and
\$ ___ OPEN SPACE BONDS, SERIES 2024

ISSUE PRICE CERTIFICATE

(Competitive Sale Requirement Satisfied)

The undersigned (the “Representative”), on behalf of itself and each member of the underwriting group (if any) (collectively, the “Underwriter”) hereby certifies as set forth below with respect to the sale of the above-captioned obligations (the “Bonds”).

1. Reasonably Expected Initial Offering Price.

(a) As of the Sale Date, the reasonably expected initial offering prices and yields of the Bonds to the Public by the Underwriter are the prices and yields listed in Schedule A (the “Expected Offering Prices”). The Expected Offering Prices are the prices for the Maturities of the Bonds used by Underwriter in formulating its bid to purchase the Bonds. Attached as Schedule B is a true and correct copy of the bid provided by the Underwriter to purchase the Bonds.

(b) The Underwriter was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by the Underwriter constituted a firm offer to purchase the Bonds.

[(d) The Underwriter has obtained a bond insurance policy from _____ (“Insurer”) in respect of the Bonds. Based on our experience with bonds similar to the Bonds (i) the bond insurance was an important factor in marketing the Bonds and (ii) the absence of the insurance would have materially affected in an adverse manner the interest rates at which the Bonds could have been sold. The insurance policy will be issued for a premium of \$ _____, which is net of any credits or rating agency fees. No portion of the premium represents the indirect payment of costs of issuance, including rating agency fees or the provision of additional services by Insurer. The present value of the insurance is less than the present value of the interest reasonably expected to be saved as a result of using the insurance to secure the Bonds, using as a discount rate the yield on the Bonds, calculated with treating the premiums as interest.]

2. Defined Terms.

(a) *Issuer* means the Township of Toms River, in the County of Ocean, New Jersey.

(b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same Maturity date but different stated interest rates, are treated as separate maturities.

(c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(d) *Sale Date* means the first day on which the Bonds are awarded by the Issuer to the winning bidder. The Sale Date of the Bonds is July 11, 2024.

(e) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only. Nothing in this certificate represents the Underwriter’s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder. The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Issuer’s Tax or Arbitrage Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Dilworth Paxson LLP, bond counsel to the Issuer, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of the Internal Revenue Service Form 8038-G, and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

[REPRESENTATIVE, on behalf of itself and each member of the underwriting group]

By: _____
Name: _____
Title: _____
Dated: _____

SCHEDULE A

EXPECTED OFFERING PRICES AND YIELDS

SCHEDULE B

COPY OF BID

ADDENDUM C TO NOTICE OF SALE

**TOWNSHIP OF TOMS RIVER,
IN THE COUNTY OF OCEAN, NEW JERSEY**

\$___ GENERAL OBLIGATION BONDS, SERIES 2024
Consisting of:
\$___ GENERAL IMPROVEMENT BONDS, SERIES 2024,
and
\$___ OPEN SPACE BONDS, SERIES 2024

ISSUE PRICE CERTIFICATE

(Hold the Price for all or some maturities)

The undersigned (the “Representative”), on behalf of itself and each member of the underwriting group (if any) (collectively, the “Underwriter), hereby certifies as set forth below with respect to the sale and issuance of the above-captioned obligations (the “Bonds”). Select appropriate provisions below:

1. [Alternative 1¹ – All Maturities Use General Rule: ***Sale of the Bonds***. As of the date of this certificate, for each Maturity of the Bonds, the first price at which at least 10% of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A.]

[Alternative 2² – Select Maturities Use General Rule: ***Sale of the General Rule Maturities***. As of the date of this certificate, for each Maturity of the General Rule Maturities, the first price at which at least 10% of such Maturity of the Bonds was sold to the Public is the respective price listed in Schedule A.

2. ***Initial Offering Price of the [Bonds][Hold-the-Offering-Price Maturities]***.

(a) [Alternative 1³ – All Maturities Use Hold-the-Offering-Price Rule: The Underwriter offered the Bonds to the Public for purchase at the respective initial offering prices listed in Schedule A (the “Initial Offering Prices”) on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule B.]

¹ If Alternative 1 is used, delete the remainder of paragraph 1 and all of paragraph 2 and renumber paragraphs accordingly.

² If Alternative 2 is used, delete Alternative 1 of paragraph 1 and use each Alternative 2 in paragraphs 2(a) and (b).

³ If Alternative 1 is used, delete all of paragraph 1 and renumber paragraphs accordingly.

[Alternative 2⁴ – Select Maturities Use Hold-the-Offering-Price Rule: The Underwriter offered the Hold-the-Offering-Price Maturities to the Public for purchase at the respective initial offering prices listed in Schedule A (the “Initial Offering Prices”) on or before the Sale Date. A copy of the pricing wire or equivalent communication for the Bonds is attached to this certificate as Schedule C.]

(b) [Alternative 1 – All Maturities use Hold-the-Offering-Price Rule: As set forth in the Notice of Sale and bid award, the Underwriter has agreed in writing that, (i) for each Maturity of the Bonds, it would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the “hold-the-offering-price rule”), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any third-party distribution agreement shall contain the agreement of each broker-dealer who is a party to the third-party distribution agreement, to comply with the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Bonds at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.]

[Alternative 2 - Select Maturities Use Hold-the-Offering-Price Rule: As set forth in the Notice of Sale and bid award, the Underwriter has agreed in writing that, (i) for each Maturity of the Hold-the-Offering-Price Maturities, it would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the “hold-the-offering-price rule”), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any third-party distribution agreement shall contain the agreement of each broker-dealer who is a party to the third-party distribution agreement, to comply with the requirements for establishing the issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds. Pursuant to such agreement, no Underwriter (as defined below) has offered or sold any Maturity of the Hold-the-Offering-Price Maturities at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.]

[(c) The Underwriter has obtained a bond insurance policy from _____ (“Insurer”) in respect of the Bonds. Based on our experience with bonds similar to the Bonds (i) the bond insurance was an important factor in marketing the Bonds and (ii) the absence of the insurance would have materially affected in an adverse manner the interest rates at which the Bonds could have been sold. The insurance policy will be issued for a premium of \$_____, which is net of any credits or rating agency fees. No portion of the premium represents the indirect payment of costs of issuance, including rating agency fees or the provision of additional services by Insurer. The present value of the insurance is less than the present value of the interest reasonably expected to be saved as a result of using the insurance to secure the Bonds, using as a discount rate the yield on the Bonds, calculated with treating the premiums as interest.]

⁴ Alternative 2(a) of paragraph 2 should be used in conjunction with Alternative 2 in paragraphs 1 and 2(b)

3. *Defined Terms.*

(a) *General Rule Maturities* means those Maturities of the Bonds listed in Schedule A hereto as the “General Rule Maturities.”

(b) *Hold-the-Offering-Price Maturities* means those Maturities of the Bonds listed in Schedule B hereto as the “Hold-the-Offering-Price Maturities.”

(c) *Holding Period* means, with respect to a Hold-the-Offering-Price Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date (July __, 2024), or (ii) the date on which the Underwriter has sold at least 10% of such Hold-the-Offering-Price Maturity to the Public at prices that are no higher than the Initial Offering Price for such Hold-the-Offering-Price Maturity.

(d) *Issuer* means the Township of Toms River, in the County of Ocean, New Jersey.

(e) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(f) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term “related party” for purposes of this certificate generally means any two or more persons who have greater than 50 percent common ownership, directly or indirectly.

(g) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is July 11, 2024.

(h) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead Underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

The representations set forth in this certificate are limited to factual matters only.

Nothing in this certificate represents the Underwriter’s interpretation of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations thereunder.

The undersigned understands that the foregoing information will be relied upon by the Issuer with respect to certain of the representations set forth in the Tax or Arbitrage Certificate and with respect to compliance with the federal income tax rules affecting the Bonds, and by Dilworth Paxson LLP, bond counsel, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of Internal

Revenue Service Form 8038-G, and other federal income tax advice it may give to the Issuer from time to time relating to the Bonds.

[REPRESENTATIVE, on behalf of itself and each member of the underwriting group]

By: _____

Name: _____

Title: _____

Dated: _____

SCHEDULE [B][C]

PRICING WIRE OR EQUIVALENT COMMUNICATION
(Attached)

APPENDIX C
SUMMARY NOTICE OF SALE
TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY
\$46,172,000* GENERAL OBLIGATION BONDS, SERIES 2024
 Consisting of:
\$32,996,000* GENERAL IMPROVEMENT BONDS, SERIES 2024,
 and
\$13,176,000* OPEN SPACE BONDS, SERIES 2024
(Book-Entry-Only) (Callable)

Dated Date: Date of Delivery

Delivery Date: Expected to be July 25, 2024

Bid Date: ELECTRONIC PROPOSALS will be received through the PARITY Electronic Bid System ("PARITY") of IPREO LLC website on July 11, 2024 prior to 11:30 a.m. Award by 1:00 p.m.

Type of Sale: Competitive bid through PARITY

Interest: Multiple Interest Rates – in multiples of 1/8 or 1/20 of 1%
 The difference between the lowest and the highest rates shall not exceed three per centum (3%).

Purchase Price: Not less than \$46,172,000 nor more than \$48,480,600 (105%)

Maturity Schedule: The Bonds will consist of serial bonds maturing, subject to redemption, on January 15 in the years 2025 through 2044 inclusive, as set forth in the following table:

<u>Year</u>	<u>General Improvement Bonds, Series 2024*</u>	<u>Open Space Bonds, Series 2024*</u>	<u>Total*</u>
2025	\$1,250,000	\$500,000	\$ 1,750,000
2026	1,500,000	600,000	2,100,000
2027	1,390,000	600,000	1,990,000
2028	1,250,000	600,000	1,850,000
2029	1,326,000	601,000	1,927,000
2030	1,300,000	600,000	1,900,000
2031	1,380,000	600,000	1,980,000
2032	2,000,000	600,000	2,600,000
2033	2,000,000	625,000	2,625,000
2034	2,000,000	650,000	2,650,000
2035	2,100,000	550,000	2,650,000
2036	2,100,000	575,000	2,675,000
2037	2,200,000	625,000	2,825,000
2038	2,200,000	650,000	2,850,000
2039	2,250,000	700,000	2,950,000
2040	2,250,000	700,000	2,950,000
2041	2,250,000	700,000	2,950,000
2042	2,250,000	700,000	2,950,000
2043	-	1,000,000	1,000,000
2044	-	1,000,000	1,000,000
TOTAL	\$32,996,000*	\$13,176,000*	\$46,172,000*

*Preliminary, subject to change as described in the full Notice of Sale.

{00436318;v3/ 37520/00007}

Legal Opinion: Dilworth Paxson LLP, Freehold, NJ

Bid Security: **Good Faith Check or wire transfer must be received by the Township prior to bidding in the amount of \$923,440**

Preliminary Official Statement, a Notice of Sale and other details available at www.mcelweequinn.com

APPENDIX D
UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF OCEAN
TOWNSHIP OF TOMS RIVER

[GENERAL IMPROVEMENT] [OPEN SPACE] BOND, SERIES 2024

No. R-1 \$ _____

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP NUMBER
_____ %	January 15, 20__	July __, 2024	_____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: _____ Dollars

The Township of Toms River, in the County of Ocean, a public body corporate and politic organized and existing under the laws of the State of New Jersey (the "Township"), for value received, hereby acknowledges itself to be indebted and promises to pay to the Registered Owner hereof on the Maturity Date set forth above the Principal Sum set forth above, and to pay interest thereon semi-annually on January 15 and July 15 of each year, commencing January 15, 2025 (each, an "Interest Payment Date"), at the Interest Rate specified above, calculated on the basis of a 360-day year of twelve 30-day months, until the payment of the Principal Sum has been made or duly provided for. As long as The Depository Trust Company, Brooklyn, New York ("DTC") or its nominee, Cede & Co., is the registered owner of the Bonds, payments of the principal of and interest on the Bonds will be made by the Township, or the hereinafter-defined Paying Agent, directly to DTC or its nominee, Cede & Co., which will credit payments of principal of and interest on the Bonds to the participants of DTC as listed on the records of DTC as of each next preceding January 1 and July 1 (the "Record Dates" for the payment of interest on the Bonds), which participants will in turn credit such payments to the beneficial owners of the Bonds. Both the principal of and the interest on this bond are payable in lawful money of the United States of America.

No transfer of this bond shall be valid unless made on the registration books of the Township kept for that purpose by the Acting Chief Financial Officer (or, if a Paying Agent is appointed by the Township, at the corporate trust office of the Paying Agent) and by surrender of this bond (together with a written instrument of transfer satisfactory to the Acting Chief Financial Officer or Paying Agent (as appropriate) duly executed by the registered owner or by his or her duly authorized attorney) and the issuance of a new bond or bonds in the same form and tenor as the original bond except for the differences in the name of its registered owner, the denominations and the Date of Authentication. The owner of any bond or bonds may surrender same (together with a written instrument of transfer satisfactory to the Acting Chief Financial Officer or Paying Agent, if any (as appropriate) duly executed by the registered owner or by his or her duly authorized attorney), in exchange for an equal aggregate principal amount of bonds of any

authorized denominations. Notwithstanding the foregoing, as long as the Bonds remain in book-entry form, transfer of ownership interests in the Bonds shall be made by DTC and its participants by book-entries which are made on the records of DTC and its participants.

This Bond is one of a duly authorized issue of [General Improvement] [Open Space] Bonds, Series 2024 of the Township in the aggregate principal amount of [\$_____] [\$_____] [\$_____] (the "Bonds"), all of like date and tenor, except as to date of maturity and denomination, and all authorized and issued under and pursuant to the Local Bond Law of the State of New Jersey constituting Chapter 169 of the Laws of 1960, effective February 15, 1962, as amended, a Resolution duly adopted by the Township Council on June 26, 2024 (the "Resolution") and various Bond Ordinances referred to therein, each in all respects duly approved and published as required by law. The Bonds are issued for the purpose of providing funds for and towards the costs of various capital improvements.

The Bonds maturing prior to January 15, 2033 are not subject to redemption prior to their stated maturity. The Bonds maturing on or after January 15, 2033 are subject to redemption, at the option of the Township, prior to their stated maturity and upon notice as hereinafter provided and as provided in the Resolution, at any time on or after January 15, 2032, in whole or part from such maturities as the Township shall determine and by lot within a single maturity, at the redemption price of 100% of the principal amount to be redeemed together with unpaid interest accrued to the redemption date

When any Bonds are to be redeemed, the Acting Chief Financial Officer (or, if appointed by the Township, the Paying Agent) shall give notice of the redemption of the Bonds by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of any Bonds or portions thereof which are to be redeemed not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such Bonds at their respective addresses as they last appear on the registration books of the Township. Notice of redemption having been given as aforesaid, the Bonds, or portions thereof so to be redeemed, shall, on the date fixed for redemption, become due and payable at the redemption price specified therein plus accrued interest to the redemption date and, upon presentation and surrender thereof at the place specified in such notice, such Bonds, or portions thereof, shall be paid at the redemption price, plus accrued interest to the redemption date. On and after the redemption date (unless the Township shall default in the payment of the redemption price and accrued interest), such Bonds shall no longer be considered as outstanding. If moneys sufficient to pay the redemption price and accrued interest have not been made available by the Township on the redemption date, the Bonds called for redemption shall continue to bear interest until paid at the same rate as they would have borne had they not been called for redemption.

During any period in which DTC (or any successor thereto) shall act as securities depository for the bonds, the notices referred to above shall be given only to such depository and not to the beneficial owners of the Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption.

It is hereby certified that all acts, conditions and things required by the laws of the State of New Jersey to exist, to have happened or to have been performed, precedent to or in the issuance of this Bond or in the creation of the debt of which this Bond is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; and that this Bond, together with all other indebtedness of the Township is within every debt and other limit prescribed by the constitution and the statutes of the State of New Jersey.

Whenever the due date for payment of interest on or principal of this Bond shall be a Saturday, a Sunday, or a day on which banking institutions in the State of New Jersey are authorized by law to close (a "Holiday"), then the payment of such interest or principal need not be made on such date, but may be made on the next succeeding day which is not a Holiday, with the same force and effect as if made on the due date for payment of principal or interest.

For the prompt and full payment of the obligations of this Bond, the entire full faith and credit of the Township are hereby irrevocably pledged.

IN WITNESS WHEREOF, the Township of Toms River, in the County of Ocean, New Jersey has caused this Bond to be signed in its name by the manual or facsimile signatures of its Mayor and Acting Chief Financial Officer and its corporate seal, or a facsimile thereof, to be hereunto affixed, duly attested by the manual signature of its Municipal Clerk.

(Seal)

**TOWNSHIP OF TOMS RIVER, IN THE
COUNTY OF OCEAN, NEW JERSEY**

Attest:

By: _____
Mayor

Municipal Clerk

By: _____
Acting Chief Financial Officer

APPENDIX E

FORM OF CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the Township of Toms River, in the County of Ocean, New Jersey (the "Township" or the "Issuer") in connection with the issuance by the Issuer of \$ _____ principal amount of its General Obligation Bonds, Series 2024 consisting of \$ _____ principal amount of its General Improvement Bonds, Series 2024 (the "GI Bonds") and \$ _____ principal amount of its Open Space Bonds, Series 2024 (the "Open Space Bonds", and together with the GI Bonds, the "Bonds"). The Bonds are being issued pursuant to various bond ordinances (the "Ordinances") duly adopted by the Township Council of the Issuer (the "Council") and a resolution duly adopted by the Township Council on June __, 2024 (the "Resolution"). The Bonds are dated their date of delivery and shall mature with respect to the GI Bonds on January 15 in the years 2025 through 2042, inclusive, and with respect to the Open Space Bonds on January 15 in the years 2025 through 2044, inclusive. The Issuer covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Bondholders and Beneficial Owners of the Bonds and in order to assist the Participating Underwriter in complying with the provisions of Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission ("SEC") under the Securities Exchange Act of 1934, as the same may be amended from time to time ("Exchange Act").

Section 2. Definitions. In addition to the definitions set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Beneficial Owner" shall mean any person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

"Bondholder" shall mean any person who is the registered owner of any Bond, including holders of beneficial interests in the Bonds.

"Continuing Disclosure Information" shall mean: (i) the Annual Report; (ii) any notice required to be filed with the MSRB pursuant to Section 5 hereof; and (iii) any notice of an event required to be filed with the MSRB pursuant to Section 3(b) hereof.

"Dissemination Agent" shall mean the Issuer, or any successor Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

"EMMA" shall mean the Electronic Municipal Market Access System ("EMMA"), an internet based filing system created and maintained by the MSRB in accordance with the SEC Release, pursuant to which issuers of tax-exempt bonds, including the Bonds, and other filers on behalf of the such issuers shall upload Continuing Disclosure Information to assist underwriters in complying with the Rule and to provide the general public with access to such Continuing Disclosure Information.

"Financial Obligation" means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (ii) guaranty of (i) or (ii). The term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" shall mean the Municipal Securities Rulemaking Board established pursuant to Section 15B(b)(1) of the Exchange Act.

"National Repository" shall mean the MSRB, through the internet facilities of EMMA, or any other public or private repository or entity that shall hereafter be designated by the SEC as a repository for purposes of the Rule.

"Official Statement" shall mean the Official Statement of the Township, dated July __, 2024, relating to the Bonds.

"Participating Underwriter" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Repository" or "Repositories" shall mean each National Repository and each State Repository, if any.

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the SEC under the Exchange Act, as the same may be amended from time to time.

"SEC Release" shall mean Release No. 34-59062, of the SEC, dated January 5, 2008.

"State" shall mean the State of New Jersey.

"State Repository" shall mean any public or private repository or entity designated by the State as a state repository for the purpose of the Rule and recognized as such by the SEC. As of the date of this Disclosure Certificate, there is no State Repository.

Section 3. Provision of Annual Reports.

(a) The Issuer shall, or shall cause the Dissemination Agent to, not later than nine (9) months after the end of its fiscal year, commencing with the report for the fiscal year ending December 31, 2024, provide to the MSRB in an electronic format as prescribed by the MSRB, an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report and later than the date required above for the filing of the Annual Report if they are not available by that date. If the Issuer's fiscal year changes, it shall give notice of such change to MSRB. Any and all items that must be included in the Annual Report may be incorporated by reference from other information that is available to the public on the MSRB's Internet Web site, or that has been filed with the SEC.

(b) Not later than fifteen (15) Business Days prior to the date specified in subsection (a) for making available or providing the Annual Report, the Issuer shall provide the Annual Report to the Dissemination Agent (if other than the Issuer). If the Issuer is unable to provide to the MSRB an Annual Report by the date required in subsection (a), the Issuer shall, in a timely manner, send a notice to the MSRB in substantially the form attached as Exhibit A, in an electronic format as prescribed by the MSRB. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

(c) The Dissemination Agent shall file a report with the Issuer certifying that the Annual Report has been provided to the MSRB pursuant to this Disclosure Certificate, stating the date it was provided.

Section 4. Content of Annual Reports. The Issuer's Annual Report shall contain or include by reference the following:

1. The audited financial statements of the Issuer for the prior fiscal year, prepared in accordance with generally accepted accounting standards (GAAS) as from time to time in effect, and as prescribed by the Division of Local Government Services in the Department of Community Affairs of the State pursuant to Chapter 5 of Title 40A of the New Jersey Statutes. If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

2. Certain financial information and operating data of the Issuer set forth in "APPENDIX A – GENERAL INFORMATION OF THE TOWNSHIP OF TOMS RIVER IN THE COUNTY OF OCEAN, NEW JERSEY" of the Official Statement under the headings: "GENERAL INFORMATION – GROWTH, DEVELOPMENT AND PLANNING – Assessed Valuation, and CAPITAL PROJECTS AND PLANNING"; "FINANCIAL AND RELATED INFORMATION" and "STATEMENT OF BONDED INDEBTEDNESS."

Section 5. Reporting of Significant Events.

(a) Pursuant to the provisions of this Section 5, the Issuer shall give, or cause to be given, notice of the occurrence of any of the following events with respect to the Bonds:

1. principal and interest payment delinquencies;
2. non-payment related defaults, if material;
3. unscheduled draws on debt service reserves reflecting financial difficulties;
4. unscheduled draws on credit enhancements reflecting financial difficulties;
5. substitution of credit or liquidity providers, or their failure to perform;
6. adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability. Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or others material events affecting the tax status of the Bonds;
7. modifications to rights of Bondholders, if material;
8. Bond Calls, if material and tender offers;
9. defeasances;
10. release, substitution, or sale of property securing repayment of the Bonds, if material;
11. rating changes.
12. bankruptcy, insolvency, receivership or similar events of the Issuer, which shall be considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the Issuer in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Issuer, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Issuer;

13. the consummation of a merger, consolidation, or acquisition involving the Issuer or the sale of all or substantially all of the assets of the Issuer, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
14. appointment of a successor or additional trustee or the change of name of a trustee, if material;
15. incurrence of a Financial Obligation of the Issuer, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Issuer, any of which affect Bondholders, if material; and
16. default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Issuer, any of which reflect financial difficulties.

(b) Whenever the Issuer obtains knowledge of the occurrence of a Listed Event described in subsection (a) for which a disclosure obligation is dependent upon materiality, the Issuer shall as soon as possible determine if such event would be material under applicable federal securities laws.

(c) If disclosure of a Listed Event is required, the Issuer shall, in a timely manner not in excess of ten business days after the occurrence of the event, file a notice of such occurrence with the MSRB in an electronic format as prescribed by the MSRB. All documents provided to the MSRB shall be accompanied by identifying information as prescribed by the MSRB.

Section 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all of the Bonds. If such termination occurs prior to the final maturity of the Bonds, the Issuer shall give notice of such termination in the same manner as for a Listed Event under Section 5(c).

Section 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Dissemination Agent, with or without appointing a successor Dissemination Agent. The Dissemination Agent shall not be responsible in any manner for the content of any notice or report prepared by the Issuer pursuant to this Disclosure Certificate. The initial Dissemination Agent shall be the Issuer.

Section 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Section 3(a), 4 or 5(a), it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Bondholders or Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Disclosure Certificate, the Issuer shall describe such amendment in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Issuer. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a Listed Event under Section 5(c), and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate any Bondholder or Beneficial Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an Event of Default on the Bonds, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure

Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses (including reasonable attorneys' fees) of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The obligations of the Issuer under this Section 11 shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

Section 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and the Bondholders and Beneficial Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Dated: _____, 2024

TOWNSHIP OF TOMS RIVER, IN THE
COUNTY OF OCEAN, NEW JERSEY

By: _____
Acting Chief Financial Officer

EXHIBIT A

NOTICE TO OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer: Township of Toms River, in the County of Ocean, New Jersey

Name of Bond Issue: \$ _____ General Obligation Bonds, Series 2024, consisting of
\$ _____ General Improvement Bonds, Series 2024, and
\$ _____ Open Space Bonds, Series 2024

Date of Issuance: July __, 2024

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by Section 3(a) of the Continuing Disclosure Certificate dated _____, 2024. The Issuer anticipates that the Annual Report will be filed by _____, 20__.

Dated: _____, 20__

TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN,
NEW JERSEY

By: _____
Name:
Title:

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, APPOINTING DREW CHABOT AS THE TOWNSHIP'S INSURANCE FUND REPRESENTATIVE TO THE OCEAN COUNTY JOINT INSURANCE FUND AND THE CENTRAL JERSEY HEALTH INSURANCE FUND

JUNE 26, 2024

WHEREAS, the Township of Toms River is a member of the Ocean County Joint Insurance Fund as well as the Central Jersey Health Insurance Fund; and

WHEREAS, it is necessary for the Township to appoint a representative to the Ocean County Joint Insurance Fund and the Central Jersey Health Insurance Fund; and

WHEREAS, it is the desire of the Mayor, with the advice and consent of the Township Council, to appoint Drew Chabot as the Township's representative;

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. Drew Chabot is hereby appointed as the Township's Insurance Representative to the Ocean County Joint Insurance Fund and the Central Jersey Health Insurance Fund, pursuant to Chapter 44 of the Township Code, for a term commencing retroactive to June 1, 2024 through December 31, 2024.

2. The Township Clerk shall send a certified copy of this resolution to each of the following:

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Township Attorney
- d) Acting Chief Financial Officer
- e) Finance Dept.
- f) PERMA/Ocean County Municipal
Joint Insurance Fund
9 Campus Drive, Suite 216
Parsippany, NJ 07054
- g) Steven A. Zabarsky, Esq.
248 Washington Street, Box 4
Toms River, NJ 08754
- h) Drew Chabot

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted
by the Council on this day of , 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, APPOINTING
ANGELA DEL VECCHIO AS FULL TIME DEPUTY MUNICIPAL
CLERK OF THE TOWNSHIP OF TOMS RIVER, COMMENCING
RETROACTIVE TO JUNE 3, 2024**

JUNE 26, 2024

WHEREAS, Mayor Daniel T. Rodrick has nominated Angela Delvecchio as full time Deputy Municipal Clerk retroactive to June 3, 2024, and the Council has considered the same and consents to this appointment;

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. Angela Del Vecchio is appointed to the position of full time Deputy Municipal Clerk of the Township of Toms River retroactive to June 3, 2024, at the starting salary of \$56,100.00 per annum, with eligibility for a stipend within the range provided in the prevailing salary ordinance, contingent upon receiving her Registered Municipal Clerk Certification. The appointment is made pursuant to Section 14-6A of the Township Code.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Municipal Clerk
- f) Deputy Municipal Clerk
- g) Angela Del Vecchio
- h) Acting Chief Financial Officer
- i) Human Resources
- j) All Department Heads

L-June 26, 2024-28

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 26th day of June, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION AMENDING BUDGET REVENUES AND APPROPRIATIONS
FOR 2024 OCEAN COUNTY TRANSPORTATION GRANT**

June 26, 2024

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

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

WHEREAS, the Township has received a grant from the Ocean County Transportation Grant \$2,500 but only \$2,000 was included in the 2024 Budget so the Township wishes to amend its 2024 Budget to include the difference of this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, County of Ocean, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2024 Budget the sum of \$500.00 which is now available as revenue from:

Miscellaneous Revenues -

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

Amend Ocean County Transportation Grant by.....\$500.00

pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$500.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Off-Set by Revenues:

Amend Ocean County Transportation Grant By.....\$500.00

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

- A) Division of Local Government Services (filed electronically)
- B) Chief Financial Officer
- C) Township Auditor
- D) Grant Manager
- E) Department of Senior Services

Approved as to Content:

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

June 26, 2024

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

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

WHEREAS, the Township has received a grant from the State of NJ Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) and wishes to amend its 2024 Budget to include a portion of this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, County of Ocean, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2024 Budget the sum of \$8,430.37 which is now available as revenue from:

Miscellaneous Revenues -

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

DMHAS Youth Leadership Grant.....\$8,430.37

pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$8,430.37 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

DMHAS Youth Leadership Grant.....\$8,430.37

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

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

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

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

June 26, 2024

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

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

WHEREAS, the Township has received a grant from the State of NJ Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) and wishes to amend its 2024 Budget to include a portion of this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, County of Ocean, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2024 Budget the sum of \$8,430.37 which is now available as revenue from:

Miscellaneous Revenues -

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

DMHAS Youth Leadership Grant.....\$8,430.37

pursuant to the provisions of the Statute, and

BE IT FURTHER RESOLVED that a like sum of \$8,430.37 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues:

DMHAS Youth Leadership Grant.....\$8,430.37

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

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

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION CHANGING VARIOUS CUSTODIANS OF
PETTY CASH FUNDS**

June 26, 2024

WHEREAS, in accordance with N.J.S.A. 40A:5-21 the Township Council of the Township of Toms River is changing Petty Cash Funds custodians to the individuals listed below:

The following Petty Cash Funds custodians are to be changed for 2024 for the Public Works Department of the Township of Toms River.

Department of Public Works: \$250.00. Said sum shall be utilized for the payment of motor vehicle registrations and transfers and various minimal miscellaneous travel expenses incurred by the aforesaid Department. Timothy Russell will be replaced by Michael Mazzola and/or Anthony Benyola shall be the Custodian of the Petty Cash Fund.

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, hereby authorizes such action and two copies of this Resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

BE IT FURTHER RESOLVED that certified copies of this Resolution be provided by the Office of the Township Clerk to each of the following:

- a. Director, Division of Local Government Services
- b. Business Administrator
- c. Director of Finance/CFO
- d. Township Attorney
- e. Anthony Benyola

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted
by the Council on this ____ day of _____,
2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**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 724.05, LOT 256 AND 257
(Cove Road & Island Road)**

June 26, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 724.05, Lot 256 & 257.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # 56104 in the amount of \$4,500.00 is hereby released;

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. Gerard McIntyre
108 Island Road
Toms River, NJ 08753

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING
PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE
GUARANTEES FOR A MINOR SUBDIVISION KNOWN AS
BLOCK 798, LOT 22 AND 23
(Buermann Avenue)**

June 26, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known a Block 798, Lot 22 & 23.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Cash Bond in the amount \$640.00 in account # X-19- -601-738 which represents the 10% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Cash Bond;

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

- 1) Previously posted Performance Bond in the amount of \$5,760.00 is hereby released;
- 2) Maintenance Cash Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Antonio Indovina
1100 Carlow Drive
Toms River, N.J. 08753

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted
by the Council on this ____ day of _____, 2024.

PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGGIO
TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, RELEASING
PERFORMANCE GUARANTEES AND ACCEPTING MAINTENANCE
GUARANTEES FOR A MAJOR SITE PLAN KNOWN AS
BLOCK 506.02 Lot 24
(1181 Route 37 West)**

June 26, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site plan known as 506.02 Lot 24.

WHEREAS, Maintenance Bonds have been posted as follows:

- 1) Maintenance Surety Bond # B1309951 in the amount \$38,235.00 which represents the 10% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Bond;

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

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

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

- 1) Previously posted Cash Bond in the amount of \$12,745.00 currently on account 4-14- -902-101 is hereby released with applicable interest;
- 2) Maintenance Surety Bond listed in the preamble hereof be and the same is hereby retained;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. 1181 Route 37 West
c/o R. Stone and Co.
432 Lakehurst Road
Toms River, NJ 08755

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING
TO THE MAYOR'S APPOINTMENT OF LAURA PICURRO TO SERVE
AS THE MUNICIPAL ALLIANCE COORDINATOR THROUGH
DECEMBER 31, 2025**

JUNE 26, 2024

WHEREAS, Mayor Daniel T. Rodrick has nominated Laura Picurro to serve as Municipal Alliance Coordinator through December 31, 2025, and the Council has considered the same and consents to this appointment;

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 consents to the Mayor's appointment of Laura Picurro to serve as Municipal Alliance Coordinator through December 31, 2025.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Acting Chief Financial Officer
- d) Human Resources
- e) Human Services
- f) Payroll Department
- g) All Department Heads
- h) Township Attorney
- i) Laura Picurro
Municipal Alliance Coordinator

L-June 26, 2024-26

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AN AMENDMENT TO RESOLUTION DATED DECEMBER 5, 2023, TO HIRE ONE (1) ADDITIONAL ICE SKATING INSTRUCTOR, JOSHUA BURKHARD, FOR WINDING RIVER SKATING CENTER FOR CALENDAR YEAR 2024

(NO ADDITIONAL MONIES ARE REQUIRED FOR THIS AMENDMENT)

JUNE 26, 2024

WHEREAS, the Township of Toms River sponsors ice skating instruction at the Winding River Skating Center; and

WHEREAS, resolution of the Township Council dated December 5, 2023, authorized the hiring of fourteen (14) ice skating instructors for calendar year 2024, in an amount not to exceed \$8,000.00, with funds being available for this purpose in Account No. 4-31- -147-534, contingent upon adoption of the 2024 budget; and

WHEREAS, it is necessary to retain the services of one (1) additional ice skating instructor, Joshua Burkhard, for 2024, at the rate of \$17.00/class; and

WHEREAS, no additional monies are required for the aforementioned amendment; and

WHEREAS, the funds which were encumbered by resolution dated December 5, 2023 (\$8,000.00) shall be used for the payment of the fees for the additional ice skating instructor, Joshua Burkhard, at the rate of \$17.00/class;

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 resolution dated December 5, 2023 in order to add one (1) additional ice skating instructor for the Winding River Skating Center for Calendar Year 2024, at the rate of \$17.00/class, as follows:

Joshua Burkhard
809 Warren Street
Toms River, NJ 08753

2. The funds which were encumbered by resolution dated December 5, 2023 in the amount of \$8,000.00 under Account No. 4-31- -147-534 shall be used for payment of the fees for the additional one (1) ice skating instructor, listed above, at the rate of \$17.00/class.

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

4. Fully executed purchase orders shall serve as the necessary contract documentation between the parties hereto.

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

- a) Acting Chief Financial Officer
- b) Township Attorney
- c) Purchasing Division
- d) Recreation Dept.
- e) Winding River Skating Center
- f) Joshua Burkhard
809 Warren Street
Toms River, NJ 08753

L-June 26, 2024-12

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this ____ day of _____, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

MICHAEL CRUOGLIO
MUNICIPAL CLERK