

EXHIBIT A

This post was contributed by a community member. The views expressed here are the author's own.

Politics & Government

Toms River Animal Shelter to Expand

Project cost includes police headquarters renovation, municipal court expansion, and new animal shelter on Oak Avenue



Nick Malfitano, Neighbor

Posted Thu, Mar 15, 2012 at 6:05 pm ET



Toms River Township officials will spend \$6.4 million to construct a new animal shelter on Whitesville Road. The project will also include an expansion of the township's municipal court and renovations to the police headquarters building.

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Toms River's township council passed a resolution this week awarding the \$6.4 million contract to Kelso Construction Company.

The new shelter is planned to be four times the size of the current incarnation on Whitesville Road, totaling out at roughly 7,000 square feet — and is hoped to meet the pressing demands of taking care of sick, needy and lost animals in the community.

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“This (project) has been in progress for a while. We now have all the permits,” said Council President Maurice "Mo" Hill. “This resolution tonight will allow us to start work on that project and break ground for the animal shelter.”

Mayor Thomas Kelaher added that the search process for a new animal shelter led to a spot adjacent to Police Headquarters, where the department's K-9 training facility is located.

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“It took almost one year to get CAFRA (Coastal Area Facility Review Act) approval (for this project),” said the mayor, who estimated that the construction of the new, “state-of-the-art” facility would last about a year.

The mayor also explained that with the location surrounded by youth-oriented programs in the forms of athletic fields and recreational activities, it would lend itself to many animals finding new families and new, loving homes.

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Kelaher said that the township then planned to tear down the existing facility on Whitesville Road and sell the property there, in order to help defray the costs of construction for the new building.

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TOMS RIVER AREA

Toms River animal shelter moves to new home

Catherine Galioto Correspondent;

Published 12:00 a.m. ET May 19, 2014 | Updated 12:56 a.m. ET May 21, 2014

TOMS RIVER –

One of only four municipally run shelters in the state, the Toms River Animal Shelter has worked to pair stray and abandoned pets with local families, adopting them and giving animals a "forever home."

But it's as though the department has found its own "forever home," moving from a dilapidated building on Whitesville Road to a new, state-of-the-art facility on Oak Avenue.

"The building was literally falling apart around us," said JoAnn Benson, Toms River's director of health services. "It was in poor shape. As we were waiting for Oak Avenue to open, in the original building there were no working toilets."

In the new building, where local officials and department staff gathered in a ribbon-cutting and open house event Sunday, the department has the ability to house as many as 60 cats and 30 dogs, whereas the old building had 10 aging kennels.

Benson said adoption applications have tripled since opening on Oak Avenue.

"We've been mobbed since we moved," she said, attributing it in part to a more visible location. The Whitesville road shelter was on the edge of town, down a residential street. The Oak Avenue facility neighbors the police station and municipal court, and the township youth services office, playgrounds and sports fields are nearby.

Though finding the animal shelter a new home had been a longtime capital project for Toms River — eventually breaking ground in early 2012 — the nearly 8,000-square-foot facility quietly opened in March with a rabies clinic. Sunday's ribbon cutting on the \$2 million building was a chance to celebrate, but also inform the public of what the

department offers, Benson said.

"We are trying to move away from the mindset that we are an animal shelter, but are instead an animal services facility," Benson said, pointing out they have spay and neutering services, rabies clinics, pet licenses and even offer pet items for sale. They also are the animal rescue staff, investigating cases of lost pets or abused animals, as well as help residents who have been displaced by Sandy find an emergency shelter for their pets.

Families gathered for a barbecue with refreshments, as the Toms River Police Department next door held its own open house with K-9 officer demonstrations, giveaways and fanfare. The animal shelter was offering tours, demonstrations, and taking applications for adoption to start the screening process.

Julie Ryan, 4, of Toms River, wasn't there to find a four-legged friend to adopt but was enjoying the open house after playing at nearby Castle Park playground. "The kitties are so cute," she said, adding the fluffy ones are her favorite.

One of the biggest improvements, Benson said, is how the new building houses animals not in cages but in a larger area faced with clear plastic, allowing for more interaction.

"We have so much more to offer here and at a more visible spot," she said. "We have been waiting for a place like this for a long, long, long time."

For more information on the animal shelter, call 732-341-1000, ext. 7300.

EXHIBIT B

app.

vanishing despite rumors, but it is dropping adoption fees

Two-minute read



Jean Mikle

Asbury Park Press

Published 5:27 a.m. ET Jan. 25, 2024 | Updated 5:27 a.m. ET Jan. 25, 2024

TOMS RIVER - Adoption fees will be eliminated, and hours extended, at Toms River's Animal Shelter in an effort to get more dogs and cats adopted, Mayor Daniel Rodrick said.

An ordinance introduced last week by the Township Council would remove adoption fees at the shelter, which is located next to the police department on Oak Avenue. A second reading and public hearing on the measure is scheduled for 7 p.m. Jan. 31 at town hall, 33 Washington St.

Rodrick said rumors that he wants to shut down the animal shelter are false. Instead, he wants to keep the shelter open until 7 p.m. on some days and also open on weekends to make it easier for people to adopt pets. A bequest from an animal shelter supporter has provided enough money to run the facility for a year, he said.

No animals from Toms River's shelter have been sent to the Ocean County Animal Shelter, according to township spokesman Phil Stilton. Stilton said in a prepared statement that only two dogs found in Toms River have been sent to the Ocean County Shelter; those canines were both found by the Garden State Parkway and will be picked up by their owners.

Toms River news: New mayor faces blowback for proposing to hire EMTs by cutting police jobs

Adoption fees at the shelter had been set at \$150 for dogs and \$75 for cats; they dropped to \$100 for dogs seven years and older and 50 for cats that were seven or older. Many rescue groups and animal shelters charge adoption fees to prevent animal abusers from obtaining pets for free.

app.

The shelter hosted a free rabies clinic last weekend, and 32 dogs and 16 cats were vaccinated. Fifteen pets were microchipped, and 13 dogs and one cat were licensed, Stilton said.

"Mayor Rodrick is committed to making sure the Toms River shelter is operating efficiently and in the best interest of the animals," Stilton said. "His number one goal is to make sure the township finds good homes for every animal in its possession and continues to provide quality care for all animals during their stay in the shelter."

Animal care: NJ vegan animal sanctuary takes in three neglected bulls from Long Island

To see adoptable animals at the shelter, go to its [Petfinder](#) page.

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL AGENDA
Thursday, January 18, 2024
7:00 PM

1. **Meeting called to order.**
2. **Flag salute.**
3. **Open Public Meetings Act statement.**

ROLL CALL:

CICCOZZI
LAMB
NIVISON
QUINLISK
O'TOOLE
COLEMAN

5. **Minutes:** January 1, 2024 Reorganization Meeting
6. **Honoring Resolutions and Presentations:**
7. **Appointment To Fill Vacant Ward 2 Council Seat**
8. **Swearing in of Newly Elected Ward 2 Councilmember**

Resolutions

9. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County New Jersey, Supporting The Hiring Of Eight Additional, Full-Time Cso/Emt Emergency Responders And Providing For Additional 24/7 Ambulance Service

In the interests of public health and safety, especially for the elderly, infirm, and other

vulnerable populations, and to ensure comprehensive and responsive ambulance service throughout the Township, The Township Council hereby supports, and pledges resources for, strengthening the Township's emergency medical response unit through hiring eight additional CSO/EMT emergency responders and dispatching an additional ambulance for 24/7 coverage.

Ordinances- First Reading

10. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement
11. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending §165-45B Of The Township Code To Eliminate The Adoption Fees For Dogs And Cats From The Toms River Animal Shelter
12. **ORDINANCE** Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing The Township Code To: (1) Establish The Divisions Of Roads And Sanitation Within Chapter 40 (Department Of Administration); (2) Repeal Chapter 54 (Department Of Public Works) In Its Entirety; And (3) Place The Division Of Parks, Buildings, And Grounds Under The Department Of Recreation

Ordinances - Final Readings

13. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Repealing Chapter 253 Of The Township Code Of The Township Of Toms River Entitled "Continued Use And Occupancy Of Residential Dwellings"

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.

14. Consent Items
 - a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Appointing Laura Picurro as Municipal Alliance Coordinator for the Fiscal Year 2024
 - b. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Changing Various Custodians Of Petty Cash Funds
 - c. **RESOLUTION** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Amending Resolution 2024-50 Appointing Jean L. Cipriani, Esquire, Of The Law Firm Of Rothstein, Mandell, Strohm, Halm & Cipriani, As Labor Counsel For The Township Of Toms River
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The

Township Clerk To Attest To A Risk Management Broker Consultant Agreement
Between The Township Of Toms River And Foundation Risk Partners Corp.
D/B/A Fairview Insurance Agency Associates

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Thursday, January 18, 2024 7:00 PM

1. Meeting called to order.

A **Special Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, Toms River, New Jersey at **7:00 PM**.

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

2. Flag salute.

3. Open Public Meetings Act statement.

Council President Coleman read the following statement pursuant to the Open Public Meetings Act:

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on **Tuesday, January 9, 2024**, the Star Ledger and also forwarding same to the Toms River Times, Toms River Patch and WOBN News on **January 9, 2024** and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk. This meeting was also posted on the Township web page.

4. **ROLL CALL:**

CICCOZZI	PRESENT
LAMB	PRESENT
NIVISON	PRESENT
QUINLISK	PRESENT
O'TOOLE	PRESENT
COLEMAN	PRESENT

5. **Minutes:** January 1, 2024 Reorganization Meeting

Motion: To Approve January 1, 2024 Reorganization Meeting

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

6. **Honoring Resolutions and Presentations:**

None

7. **Appointment To Fill Vacant Ward 2 Council Seat**

Motion: To Appoint George Lobman for Ward 2 Council Seat

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

8. **Swearing in of Newly Elected Ward 2 Councilmember**

Council Member George Lobman was sworn in by his daughter Natalie Zazenkowski,

Esq.

Resolutions

9. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County New Jersey, Supporting The Hiring Of Eight Additional, Full-Time Cso/Emt Emergency Responders And Providing For Additional 24/7 Ambulance Service

In the interests of public health and safety, especially for the elderly, infirm, and other vulnerable populations, and to ensure comprehensive and responsive ambulance service throughout the Township, The Township Council hereby supports, and pledges resources for, strengthening the Township's emergency medical response unit through hiring eight additional CSO/EMT emergency responders and dispatching an additional ambulance for 24/7 coverage.

January 18, 2024

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

1. In the interests of public health and safety, especially for the elderly, infirm, and other vulnerable populations, and to ensure comprehensive and responsive ambulance service throughout the Township, the Township Council hereby supports, and pledges resources for, strengthening the Township's emergency medical response unit through hiring eight additional CSO/EMT emergency responders and dispatching an additional ambulance for 24/7 coverage.
2. A certified copy of this resolution shall remain on file in the Office of the Township Clerk and provided to the following parties:
 1. Mayor Daniel T. Rodrick
 2. Business Administrator
 3. Chief Financial Officer
 4. Chief of Police

Motion:To Approve Resolution Item 9

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Ordinances- First Reading

10. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement

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

1. Section 50-3B of the Township Code is hereby amended and supplemented to provide as follows:

B. Captain of Police: one.

1. Section 50-3G of the Township Code is hereby amended and supplemented to provide as follows:

G. Police officers: 112

3. Notwithstanding the amendment to Section 50-3B above, any officer currently serving in the position of Captain of Police or Deputy Chief of Police as of January 18, 2024, excluding any officer serving in either of those positions in an acting capacity as of that date, may serve in those positions until their effective date of retirement, resignation, or other separation of employment from Toms River Township.

4. All other provisions of Chapter 50 not inconsistent herewith remain in full force and effect.

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

6. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

7. 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.

Motion: To Approve 1st Reading of Item 10. Ordinance

Motion Made By: Lynn O'Toole

Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

11. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending §165-45B Of The Township Code To Eliminate The Adoption Fees For Dogs And Cats From The Toms River Animal Shelter

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

1. Section 165-45B of the Township Code is hereby amended and supplemented to provide as follows:

B. There shall be no fee imposed upon any individual or nonprofit organization to adopt dogs or cats from the Toms River Animal Shelter.

2. All other provisions of Chapter 165 not inconsistent herewith remain in full force and effect.

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

4. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

5. 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.

Motion: To Approve 1st Reading of Item 11. Ordinance

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

12. **ORDINANCE** Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing The Township Code To: (1) Establish The Divisions Of Roads And Sanitation Within Chapter 40 (Department Of Administration); (2) Repeal Chapter 54 (Department Of Public Works) In Its Entirety; And (3) Place The Division Of Parks, Buildings, And Grounds Under The Department Of Recreation Within Chapter 56

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

1. Chapter 40 (Department of Administration) of the Township Code is hereby amended and supplemented to add the following provisions:

§ 40-11. Divisions of Roads and Sanitation.

A. Division of Roads. There is hereby created the Division of Roads, the head of which shall be the Division Manager of Roads. This position shall be appointed by the Mayor. The Division Manager shall report directly to the Township Business Administrator.

- (1) The Division of Roads shall be responsible for:
 - (a) Constructing, repairing, and maintaining all Township streets and roads, including pothole repair, and the cleaning and repair of catch basins.
 - (b) Removing snow from Township streets and roads.
 - (c) Maintaining all signs, traffic markers, and streetlights which are owned or under the control of the Township.
 - (d) Maintaining all drainage facilities located upon Township property.
- (2) The following bureaus fall under the supervision and oversight of the Division of Roads:
 - (a) Bureau of Equipment/Maintenance. The Bureau of Equipment and Maintenance shall be responsible for:
 - (i) Maintaining automotive and radio equipment owned or controlled by the Township.
 - (ii) Operating the centralized garage and motor pool.
 - (iii) Undertaking performance analysis of Township equipment.

B. Division of Sanitation. There is hereby created the Division of Sanitation, the head of which shall be the Division Manager of Sanitation. This position shall be appointed by the Mayor. The Division Manager shall report directly to the Township Business Administrator.

- (1) The Division of Sanitation shall be responsible for the collection and disposal of solid waste, including the operation and use of the Township Landfill.
- (2) The following bureaus fall under the supervision and oversight of the Division of Sanitation:
 - (a) Bureau of Recycling. The Bureau of Recycling shall be responsible for:
 - (i) Administering the recycling program of the Township of Toms River under Chapter 442 of the Township Code.
 - (ii) Administering leaf collection throughout the Township.

(iii) Organizing and maintaining the Toms River Township Convenience Center and leaf yard.

C. Other positions within the Divisions of Roads and Sanitation.

(1) Foreman. There is hereby created the position of Foreman. There shall be a Foreman for each the Division of Roads and the Division of Sanitation, whom shall be under the supervision of the respective Division Managers. Foremen shall organize and develop suitable work programs for the varied functions of each Division; supervise collection of solid waste and recycling; give suitable assignments and instructions to individuals and groups and supervise their work; as applicable to the Bureau assigned, supervise the cleaning and repair of streets and sewers, the paving of streets, the maintenance of piers and the maintenance and care of the garbage dumps; make investigations of complaints dealing with their respective Divisions and take proper action to see that needed repairs are made with a minimum of delay; prepare suitable reports; obtain, store, safeguard and supervise the proper use of needed equipment, materials and supplies; and keep needed records and files and perform such other related tasks as are required by the Director and Township Council.

(2) Assistant Foreman. The position of Assistant Foreman is hereby created. There shall be two Assistant Foreman assigned to the Division of Roads, and one Assistant Foreman assigned to the Division of Sanitation. The Assistant Foremen shall assist in the performance of the duties of, and other tasks assigned by, their respective Foremen.

(3) Recycling Foreman. There is hereby created within the Division of Sanitation the position of Recycling Foreman. The Recycling Foreman shall perform all duties of Recycling Foreman and be responsible for and have authority for enforcement of Chapter 232, Burning, Outdoor, and Chapter 442, Solid Waste, of the Code of the Township of Toms River.

(4) Laborer. There is hereby created the position of Laborer. Under the direction of the appropriate Division Foreman, the Laborer shall primarily perform varied types of manual and unskilled laboring work; may drive a truck in connection with laboring work on occasion; and do related work as required.

(5) Mechanic. There is hereby created the position of Mechanic. Under the direction of the appropriate Division Foreman, the Mechanic shall perform varied mechanical work involved in the repair, maintenance and servicing of motor vehicles and/or construction equipment working with various machines and hand tools common to the trade. The Mechanic shall do related work as required.

(6) Driver. There is hereby created the position of Driver. Under the direction of the appropriate Bureau Foreman, the Driver shall possess a valid commercial driver's license and shall drive a truck to transport materials, equipment or people, which includes, but is not limited to, Robo-garbage trucks and recycling trucks.

(7) Operator. There is hereby created the position of Operator. Under the direction of the appropriate Bureau Foreman, Operator shall perform such duties as required by the Division Managers.

(8) Clerical staff. There is hereby created the position of Senior Secretary, Secretary, and Clerk-Bookkeeper for the Divisions of Roads and Sanitation, who shall perform such bookkeeping, payroll and clerical duties as required by the Division Managers.

2. Chapter 54 (Department of Public Works) of the Township Code is hereby repealed in its entirety.

3. Chapter 56 (Department of Recreation) of the Township Code is hereby amended and supplemented to add the following subsection:

§ 56-15. Division of Parks, Buildings and Grounds.

A. Establishment; powers and duties.

(1) There is hereby established the Division of Parks, Buildings, and Grounds, which shall be under the Department of Recreation and overseen by the Director of Recreation.

(2) This Division shall maintain all Township buildings, grounds, swimming pools, real property, and parks, including garbage removal and maintenance of restroom facilities, and shall be responsible for proper testing of bathing beach waters and swimming pool waters.

B. Positions created. The following positions are hereby established within the Bureau of Parks, Buildings, and Grounds:

- (1) Foreman.
- (2) Senior maintenance worker/custodian.
- (3) Senior groundsman.
- (4) Groundsman, full-time.
- (5) Groundsman, part-time.
- (6) Laborer, full-time.
- (7) Laborer, part-time.
- (8) Maintenance worker, full- or part-time.
- (9) Custodian.
- (10) Clerical staff.
- (11) Driver
- (12) Golf Course Superintendent.
- (13) Assistant Foreman.

4. All other parts of Chapters 40 and 56 remain in full force and effect.

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

6. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

7. 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.

Motion: To Approve 1st Reading of Item 12. Ordinance

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Ordinances - Final Readings

13. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Repealing Chapter 253 Of The Township Code Of The Township Of Toms River Entitled "Continued Use And Occupancy Of Residential Dwellings"

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

SECTION 1. Purpose. Pursuant to Ordinance 4724-21 the Township of Toms River established a new Chapter 253 of the Township Code entitled "Continued Use and Occupancy of Residential Dwellings". Said Ordinance was amended by Ordinance 4760-22. It is the intention of this Ordinance to repeal the entirety of Chapter 253.

SECTION 2. Chapter 253 of the Township Code of the Township of Toms River entitled "Continued Used and Occupancy of Residential Dwellings" be and hereby is repealed in its entirety. Upon the effective date of this Ordinance, a Municipal Certificate of Continued Use and Occupancy shall no longer be required to transfer ownership of residential dwellings within the Township of Toms River.

SECTION 3. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor and twenty (20) days after publication as required by law.

SECTION 4. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.

SECTION 5. If part of this Ordinance is invalidated for any reason by a court of competent jurisdiction, that part is severed and the remaining portion shall remain in full force and effect.

Council President Coleman announced he was opening the floor to public comment if anyone wished to speak at this time.

Chuck Laing, 37 Cedar Dr., states he is a home inspector and asked if this ordinance affects Rental Certifications also.

Township attorney McGuckin states that this Ordinance is only discussing Continued Use and Occupancy and Transfer of Title.

Chuck feels repealing this ordinance will cause a lot of safety issues.

Paul Jeffires 1661 Bay Blvd. Ortleigh Beach, he believes the Ordinance is a hassle, but it's there for a reason. Needs to be done for safety issues. He states taking the Ordinance away will become a disaster and could harm a lot of people.

Bruce Shapiro, 10 Hamilton Ave Trenton, NJ Realtor Association, is glad that the ordinance is getting repealed. He states that many closings have been postponed or even terminated because of the long process of getting a CO. He says that sellers are still required to get a Fire Inspection and can hire their own home inspectors.

Phil Brilliant, 79 Holly Tree Lane, says that the town has already stopped issuing MCCUOs. He strongly believes the council needs to look over the Ordinance and amend it not just repeal it.

Pat Klaslo, Ortleigh Beach, says people would put in complaints about people working without permits, but the town will not allow you to do so anonymously. She feels that the ordinance should not be repealed, just revised to make sure people aren't doing work illegally.

Julie Adamek, 69 Cedar Grove Rd., thinks repeal this ordinance will be a mistake. People are doing things without permits and this is how it is being uncovered. She feels this will only endanger the public.

Mary Nuziale, 1144 Hooper Ave, Monmouth Ocean Regional Realtors, thinks the ordinance should be repealed. The ordinance lead to delays in resale and possible loss of sale.

Motion: Close Public Session

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes

Council President Coleman - Yes

Motion: To Table Item 13. Final Reading Ordinance

Motion Made By: David Ciccozzi

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- No
Council Member Nivison	- No
Council Member Quinlisk	- Yes
Council Member Lobman	- No
Council Vice-President O'Toole	- No
Council President Coleman	- No

Motion: To Approve Final Reading of Item 13. Ordinance

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

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.

14. Consent Items

Paul Williams, Broad St., asked if he could discuss Item A. Council President Coleman allowed discussion before the motion.

Paul asked if anyone knew what a Municipal Alliance Coordinator does? When no one on the council answered, he tells them the coordinator is responsible for getting funding and programs that address alcoholism and drug abuse. Paul hopes the council takes this position seriously because drug and alcohol abuse are real issues going on in Toms River.

Motion: To Approve All The Following Items Listed On The Consent Agenda

Motion Made By: Lynn O'Toole

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Appointing Laura Picurro as Municipal Alliance Coordinator for the Fiscal Year 2024

JANUARY 18, 2024

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

1. The Mayor has recommended and the Council consents to the appointment of **LAURA PICURRO** as Municipal Alliance Coordinator for Fiscal Year 2024, expiring on December 31, 2024.

2. The Office of 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. Municipal Alliance
- e. Laura Picurro

Municipal Alliance Coordinator

Paul Williams- Does anyone know what a Municipal Alliance Coordinators does? It is supposed to help alcoholism and drug abuse. Funding attached to it.

- b. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Changing Various Custodians Of Petty Cash Funds

January 18, 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 various Departments of the Township of Toms River:

A. Department of Recreation: \$500.00. Said sum shall be utilized in order to pay for various minimal purchases and expenses incurred by the aforesaid Department. Jonathan Salonis and/or Jaime Hawks shall be the Custodian of the Petty Cash Fund.

B. Municipal Alliance Office: \$100.00. Said sum shall be utilized in order to pay for various minimal purchases and expenses incurred by the aforesaid Office. Laura Picurro and/or Warren Chabot shall be the Custodian of the Petty Cash Fund.

C. Division of Animal Control: \$100.00. Said sum to be utilized in order to pay for the minimal purchases and expenses incurred by the aforesaid Department Laura Picurro and/or Marta Peterson shall be the custodian.

D. Division of Youth Services: \$250.00. Said sum shall be utilized in order to pay for admission to youth oriented events and various miscellaneous travel expenses incurred by the aforesaid Office. Adam Silversmith and/or Jonathan Salonis shall be the Custodian of the Petty Cash Fund.

E. Department of Senior Services: \$500.00 Said sum shall be utilized for the purchase of newspapers and periodicals and for various minimal purchases and expenses, including travel expenses of the aforesaid Office. Laura Picurro and/or Lisa Chiurazzi-Manganiello 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. Jonathan Salonis
 - f. Laura Picurro
- c. **RESOLUTION** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Ameding Resolution 2024-50 Appointing Jean L. Cipriani, Esquire, Of The Law Firm Of Rothstein, Mandell, Strohm, Halm & Cipriani, As Labor Counsel For The Township Of Toms River

JANUARY 18, 2024

WHEREAS, pursuant to Resolution 2024-50, Jean L. Cipriani, Esq. of the Law Firm of Rothstein, Mandell, Strohm, Halm & Cipriani was appointed as Labor Counsel for the Township of Toms River for a term of one (1) year, commencing January 1, 2024 and ending December 31, 2024; and

WHEREAS, the Chief Financial Officer has advised that in order to certify the funds for such position a fixed not-to-exceed amount is required; and

WHEREAS, the Township anticipates a need for labor counsel services to address expiring collective bargaining agreements, grievances and disciplinary matters and pending and anticipated litigation.

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

1. That Resolution 2024-50 shall be amended so that numbered paragraph 5. of that resolution shall read as follows:

5. Compensation for Labor Counsel services shall be billed at the rate established by the Township for such services for a total authorization not-to-exceed \$100,000.00 for calendar year 2024, unless authorized by resolution of the governing body.

2. That the Agreement authorized pursuant to Resolution 2024-50 shall be amended to provide that Compensation for Labor Counsel services shall be billed at the rate established by the Township for such services for a total authorization not-to-exceed \$100,000.00 for calendar year 2024, unless authorized by resolution of the governing body.

3. That this resolution shall take effect immediately.

4. 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) Business Administrator
- c) Township Attorney
- d) Chief Financial Officer
- e) Jean L. Cipriani, Esq.
Rothstein, Mandell, Strohm, Halm & Cipriani
98 E. Water Street
Toms River, NJ 08753

- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Risk Management Broker Consultant Agreement Between The Township Of Toms River And Foundation Risk Partners Corp. D/B/A Fairview Insurance Agency Associates

JANUARY 18, 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. The Mayor is authorized to execute and the Township Clerk to attest to a Risk Management Broker Consultant Agreement between the Township of Toms River and Foundation Risk Partners Corp. d/b/a Fairview Insurance Agency Associates. A copy

of the Agreement is attached to this resolution and made a part hereof.

2. A certified copy of this resolution and the attached Agreement 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) Certified Financial Officer
- f) Foundation Risk Partners Corp.
d/b/a Fairview Insurance Agency Associates
25 Fairview Avenue
Verona, NJ 07044

Approval of Bills

Township Clerk asked for the Approval of the Bills.

The Bill List dated January 11, 2024, was approved.

Motion: To Approve The Bill List

Motion Made By: Lynn O'Toole

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member Ciccozzi - None

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

Purchase Order 23-00036, payable to Borough of Lavallette, in the amount of \$859.58.

Purchase Order 24-00186, payable to TR Payroll, Magistrate Salaries, in the amount of \$6,619.23.

Council Member Nivison - None

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

Purchase Order 23-0716 payable to Remington & Vernick Engineers, in the amount of \$4,987.50.

Purchase Order 23-03940, payable to TEC Elevator Inc., in the amount of \$756.00.

Council Member Lobman - None

Council Vice-President O'Toole - None

Council President Coleman - None

Elected Official's Comments

Council Member Lamb thanked Chief Little and the Township Police Officers for all their handwork, but he strongly believes the CSO program is important for this town. Reminded everyone garbage will be picked up early tomorrow with the possibility of snow tomorrow.

Council Member Quinlisk believes there is a need for more CSOs, but there has to be a way to do it without defunding the Police department. Councilman Quinlisk states the Town is heading down wrong the path. He wants to keep our town strong, safe and beautiful.

Council Member Nivison says that the council is not taking away from the Police Department, they are just not going to replace the retirees.

Council Member Lobman wanted to start by telling the Town a little about himself and his family. He stated he will only be on the Council for 1 year. Councilman Lobman also said he is on the council for the community and his friend Dan.

Council Member Ciccozzi thanked DPW for always doing a great job. He also brought up how much the Police Department has done for the Township, and thanked them for all their hard work.

Council Vice-President O'Toole wanted to start by discussing Laura Piccura, and how she is a dedicated employee who loves her work and loves the Senior Center. She feels Laura will be able to bring a lot of resources to the Town. Council Vice-President O'Toole also mentioned that Dan Rodrick will be an excellent Mayor because he truly cares.

Council President Coleman stated he will always vote for what is right for the people of Toms River Township.

Mayor Rodrick started by congratulating George Lobman, and thanked him for volunteering to serve on the council. The Mayor announced the Animal Shelter is at full capacity, some have been there for over a year. He would like to waive the fees for adoptions and open the hours till 7:00 PM. The Mayor then thanked the council for repealing the CO.

Public Comments

Council President Coleman announced the public portion and asked if anyone wished to speak at this time.

Carlos Amizar, Winteringham Apartments, agrees that the town needs more EMT/CSOs, but he believes there has to be a way to do so without taking away from the Police Department.

Paul Williams, Broad St, questioned the Ordinance about hindering our Law Enforcement, and felt it was very vague.

Dana Tormollan, Messenger St., is upset about the Mayor trying to defund the Police Department, and firing Confidential township employees to hire the Mayor's Friends.

Phil Brillaint, 79 Holly Lane, said there is a conflicts with the February Township meeting and the Ciba-Geigy Meeting, if the council could please look into changing the Meeting to be at the Ciba-Geigy Meeting. He also asked for clarification on the Law enforcement ordinance.

Mayor Rodrick stated the town is not firing any Police Officers. They are just not replacing the Captains that are retiring, and the money will go into hiring 8 CSOs.

Phil then asked for the Mayor to please stop rushing to make all these changes, and to look further into ways to improve the town.

Ron Sermarini, President of FOP lodge #156, says he will always support the Police Department. He believes we need more CSOs, but not at the cost of our own Police Officers.

Debra Martin, feels the township needs more ambulances. She is also very concerned about the beaches. Debra hopes everyone can work together.

Bill Hutton, 3 Pearl Dr, is against the reduction in PD. The Police are always the first to an emergency call and are important to the community.

Pat Klaslo, Ortley Beach, stated that Ortley pays 8% of the township taxes.

Kim Bell, 64 Iberis Lane, is for the repeal of the MCCUO ordinance. She told the council to look into doing a letter of no interest, to check for open permits before the sale of a home.

Jillian Messina, 743 Opatut Court, Media relation specialist at Toms River Police Dept., she states she has worked for the town for the last 7 years and loves it. She has helped raised thousands of dollars through the PBA events for the town. She agrees they need more EMT/CSOs but not at the expense of Law Enforcement. There are grants that could fund a CSO program that she would help look into.

Joe Cocco, 161 Walnut Creek Lane, believes there is a need for EMTs and CSOs, and would like to help with a risk management team.

Jason McCowski, was offended that the council kept referring to EMTs as ambulance drivers, stated they are called First Responders. The statics show for EMTs the town meets the requirements, and as for Police Officers we are grossly under staffed.

Paul Williams, Broad St., wants the council to specify what changes will be made to Law Enforcement with the new Ordinance. The new Ordinance says the town is making changes to the Captian positions, the number of police officers, and the media relations specialist.

Ted Maloney, 1442 Sequoia Circle, is against Amending the Law Enforcement Ordinance. He believes that the Police Department is already understaffed, and there is a chain of command

to teach the new officers and to keep the town safe.

Pat Klaslo asked why are we hiring two more MUA employees if we need to make cuts for money.

Anthony Paciulli, Vice president of PBA #137, wants it to be known that the PBA has been strongly against this ordinance and has informed the Mayor and Council.

Andrew Chencharik, Sergeant with Toms River PD, congratulated the mayor and council on their election. He asked the Mayor and Council to please come see the Police Department and all the work they do before cutting any positions.

Brian Doyle, Sergeant with Toms River PD, asked the Council to look into surrounding towns and see how much smaller towns staff their Police Department, and look into how under staffed Toms River Police are.

Christopher Anderson, Baywood Dr., congratulated Mayor Rodrick on his election, and thanked Councilman Lamb for his service. He agrees there should be more EMT/CSOs but not at the cost of Police Officers.

Mike Miller, retiring Captain of the Toms River Police Department, states that he is responsible for much more than the Lieutenants as a Captain. That it is not right for the Chief and Deputy Chief to take on all these new duties and still properly do their own.

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

No other business appearing, the meeting was **adjourned** at 9:52 PM on motion with Council Member Lamb, seconded by Council Vice-President O'Toole, and carried with Council Members, Ciccozzi, Lobman, Nivison, Quinlisk and Council President Coleman voting yes.

EXHIBIT C

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, January 31, 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:** January 18, 2024 Special Meeting
6. **Honoring Resolutions and Presentations:**

Ordinances- First 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 Include The Placement Of Stop Signs On Hickory Hill Road At The Intersection Of Hickory Hill Road And Harbor View
8. **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, Stop Signs Installed On Yorktowne Boulevard And Mount Carmel Boulevard, All Approaches

9. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Hovsons Boulevard – Speed Reduced To 25 Miles Per Hour For The Entire Length And Remove Zone 1 And Zone 2
10. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Yorktowne Boulevard – Speed Reduced To 25 Miles Per Hour For The Entire Length
11. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §48-6 Of The Township Code To Create The Division Of Zoning, Planning And Property Maintenance And Repealing §48-8

Ordinances - Final Readings

12. **ORDINANCE** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Amending The Administrative Code Of The Township Of Toms River So As Create A Division Of Public Works Within Chapter 40, Entitled, "Division Of Administration" And Repeal Chapter 54 In Its Entirety
13. **ORDINANCE** Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing The Township Code To: (1) Establish The Divisions Of Roads And Sanitation Within Chapter 40 (Department Of Administration); (2) Repeal Chapter 54 (Department Of Public Works) In Its Entirety; And (3) Place The Division Of Parks, Buildings, And Grounds Under The Department Of Recreation
14. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending §165-45B Of The Township Code To Eliminate The Adoption Fees For Dogs And Cats From The Toms River Animal Shelter
15. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement

Resolutions

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.

16. Consent Items
 - a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey Authorizing Refund and Cancellations 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 Funds Be Escheated To The State Of New Jersey, Department Of Treasury, Unclaimed Property Division
- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Issuance Of Duplicate Tax Sale Certificates
- e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, County Of Ocean, And State Of New Jersey, Authorizing The Township Of Toms River To Accept A Fy23 Homeland Security Grant From The State Of New Jersey, Office Of Homeland Security And Preparedness, In The Amount Of \$20,873.00, For The Purchase Of Tactical Equipment, And Authorizing The Mayor To Execute And The Township Clerk To Attest To A Memorandum Of Understanding With The County Of Ocean/Ocean County Sheriff'S Department In Connection With This Grant
- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Additional Open-Ended Contract For Snow Plowing And Natural Disaster Clean-Up Services To R. Lawson & Co, Llc, Commencing Date Of Award Through September 30, 2025
- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For Emergency Vehicle Service And Repairs To Oem Vehicles, To Freehold Ford Inc., As The Lowest Responsive, Responsible Bidder Meeting All The Bid Specifications
- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, For Support From Local Governing Body Authorizing The Fy 2024 Local Recreation Improvement Grant (Lrig) Application Funded By The New Jersey Department Of Community Affairs
- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Shared Services Agreement Between The Township Of Toms River And The Office Of The Ocean County Prosecutor For The 2024 Prosecutor's Program (Formerly Known As The Fatal Accident Support Team, F.A.S.T.)
- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 992, Lot 13 (1 Diane Lane)
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 1001, Lot 158.01 (1 Second Avenue)
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey, Releasing Maintenance Guarantees For A Minor Site Plan Known As Block 444.01, Lot 20 (843 Fischer Blvd)

- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Subdivision Known As, Arya Properties, Llc, Block 235, Lot 5.02 (Kettle Creek Road)
- n. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Major Subdivision Known As Raider Estates, Block 764 And 768, Lots 51-55 And 16-30 (Pantzer Street)
- o. **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 794.36, Lot 6 & 8 (Waldron Road)
- p. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing Purchases From Approved Cooperative Contracts With Awarded Vendors For Calendar Year 2024 Pursuant To N.J.S.A. 40A:11-11(5) And N.J.A.C. 5:34-7.1 Et Seq.
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Contract With Atlantic Salt Inc., For The Purchase Of "Deicing Salt", Which Expires August 1, 2024, For The Department Of Public Works, Utilizing The Ocean County Cooperative Pricing System Contract Bid #B2023-120, In The Estimated Amount Of \$156,000.00, Which Will Give The Department Of Public Works The Ability To Purchase On An As-Needed Basis
- r. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey Supporting The New Jersey Department Of Transportation's Prohibition Of Left Turn Movements From The Driveway Of The Office Complex Proposed For Block 135, Lot 4 (117 Rt. 70)
- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Utilize State Contract T0109 For Maintenance Of Motorola Radio Communications Equipment For The Police Department Using Contract #83909, With Motorola Solutions, Inc., C/O Wireless Communications Electronics, Effective Retroactive To January 1, 2024 Through June 30, 2024, In The Total Contract Amount Not To Exceed \$22,447.00
- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Renewal of Massage Business Licenses
- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Accepting A Grant From, And Authorizing A Grant Agreement With, The County Of Ocean For Senior Services, Congregate Nutrition And Caregivers Grant For Calendar Year 2024
- v. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing The Township Insurance Fund Representative

- w. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Awarding A Contract To Foundation Risk Partners, Corp. D/B/A Fairview Insurance Agency Associates For Employee Benefits Consultancy And Brokerage Services For Medical, Prescription, Dental, And Vision Coverage
- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of John J. Novak, Esq., Matthew Sage, Esq. And Robert C. Shea li, Esq. As Part-Time Municipal Public Defenders For The Township Of Toms River Commencing From Date Of Award Through December 31, 2024, In The Total Estimated Amount Of \$30,000.00 Per Firm, For Calendar Year 2024
- y. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Fair And Open Professional Legal Service Contract With Louis N. Rainone, Esq., Of The Law Firm Of Rainone, Coughlin, Minchello, Llc, To Advise, Consult, And Represent The Township Of Toms River With Regard To The Local Redevelopment And Housing Law, For A Total Maximum Contract Amount Not To Exceed \$70,000.00 For Cy 2024, And Authorizing The Mayor To Execute And The Township Clerk To Attest To Any And All Documents, Including Any Retainer Agreements, Associated With The Contract Approved Hereunder

Reports

17.	Building Department	2023	2022
	Building Permits - December	\$186,381.00	\$286,814.00
	Building Permits - YTD through December	\$3,505,617.00	\$3,772,693.00
	Recreation Department	2023	2022
	Bey Lea Golf Course- December	\$71,940.48	\$60,779.47
	Bey Lea Golf Course- YTD through December	\$2,122,619.68	\$1,801,676.69
	Winding River Ice Rink- December	\$187,106.00	\$150,972.97
	Winding River Ice Rink- YTD through December	\$1,280,747.52	\$1,122,217.90

Approval of Bills

- 18. 1-31-24 Public Copy of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Wednesday, January 31, 2024 7:00 PM

1. Meeting called to order.

A **Regular Meeting** of the Township Council of the Township of Toms River was held virtually online using Zoom and YouTube Live, with Council and Administration streaming live at 7:05 PM.

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

2. Flag salute.

3. Open Public Meetings Act statement.

Council President Coleman read the following statement pursuant to the Open Public Meetings Act:

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Monday, **January 29, 2024**, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Wednesday **January 24, 2024**, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, **January 1, 2024**. The meeting dates have also been posted on the Township web page.

4. ROLL CALL:

CICCOZZI

Present

LAMB

Present

LOBMAN	Absent
NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

Councilman George Lobman was absent due to technical difficulties.

5. **Minutes:** January 18, 2024 Special Meeting

Motion: To Approve January 18, 2024 Special Meeting

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

6. **Honoring Resolutions and Presentations:**

Ordinances- First 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 Include The Placement Of Stop Signs On Hickory Hill Road At The Intersection Of Hickory Hill Road And Harbor View

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:

INTERSECTION: STOP SIGNS INSTALLED ON:

Hickory Hill Road and Harbor View Hickory Hill 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.

Motion: To Approve 1st Reading of Item 7. Ordinance

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Lobman	- Absent
Council Member Nivison	- Yes
Council Member Quinlisk	- No Vote because of technical difficulties
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

8. **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, Stop Signs Installed On Yorktowne Boulevard And Mount Carmel Boulevard, All Approaches

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:

INTERSECTION:

STOP SIGN INSTALLED ON:

Yorktowne Boulevard and
Mount Carmel Boulevard

Yorktowne Boulevard and
Mount Carmel Boulevard, all
Approaches

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.

Motion: To Approve 1st Reading of Item 8. Ordinance

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Lobman	- Absent
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

9. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Hovsons Boulevard – Speed Reduced To 25 Miles Per Hour For The Entire Length And Remove Zone 1 And Zone 2

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:

NAME OF STREET: Hovsons Boulevard

SPEED (MPH) 25

LOCATION: Entire Length

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.

Motion: To Approve 1st Reading of Item 9. Ordinance

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Lobman	- Absent
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

10. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Yorktowne Boulevard – Speed Reduced To
25 Miles Per Hour For The Entire Length

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

1. Section 477-79, Schedule XXI (Speed Limits) of Chapter 477 (Vehicles and Traffic) is hereby amended and supplemented to reduce the speed limit on Yorktowne Boulevard to 25 MPH, to promote enhanced vehicular and pedestrian safety, as follows:

<u>NAME OF STREET:</u>	Yorktowne Boulevard
<u>SPEED (MPH):</u>	25
<u>LOCATION:</u>	Entire length

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.

Motion: To Approve 1st Reading of Item 10. Ordinance

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Lobman	- Absent
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

11. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §48-6 Of The Township Code To Create The Division Of Zoning, Planning And Property Maintenance And Repealing §48-8

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

1. Section 48-6 is hereby renamed as "Division of Zoning, Planning and Property Maintenance" and amended and supplemented with subsection C, which shall read as follows:
 1. There is hereby created a Bureau of Property Maintenance, which shall perform the following functions:
 1. Conduct field inspections and special investigations to ensure compliance with municipal ordinances.
 2. Initiate and enforce rules and regulations in relation to enforcement of ordinances.
 3. Initiate necessary legal action for violations of municipal ordinances.
 4. Perform any other such function as necessary to administer the Division's purposes.
2. Section 48-6 is hereby further amended and supplemented with subsection D, which shall read as follows:
 - d. Other positions created:
 - i. Housing, Property Maintenance, and Assistant Code Enforcement Officer;
 - ii. Assistant Code Enforcement Officers, full-time;
 - iii. Assistant Code Enforcement Officers, part-time;
 - iv. Clerical support staff; and

v. ADA Coordinator.

3. Section 48-8 of the Township Code is hereby repealed and reserved.
4. Any references contained in the Township Code to the Division of Code Enforcement shall be repealed and replaced by the Bureau of Property Maintenance hereby created.
5. All other provisions of Chapter 48 not inconsistent herewith remain in full force and effect.
6. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
7. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.
8. 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.

Motion: To Approve 1st Reading of Item 11. Ordinance

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Absent
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Ordinances - Final Readings

12. **ORDINANCE** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Amending The Administrative Code Of The Township Of Toms River So As Create A Division Of Public Works Within Chapter 40, Entitled, "Division Of Administration" And Repeal Chapter 54 In Its Entirety

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

SECTION 1. Chapter 40, entitled "Department of Administration," of the Administrative Code of the Township of Toms River, is hereby amended and supplemented so as to create § 40-11, entitled "Division of Public Works" so as to read in its entirety as follows:

§ 40-11. Division of Public Works

Division established; Term of Director; Deputy Director.

A. There is hereby created the Division of Public Works, the head of which shall be the Supervisor of Public Works. The Superintendent shall be appointed by the Mayor with the consent of the Township Council. There may also be a Deputy Supervisor of Public Works, who shall be appointed by the Director with the approval of the Mayor.

§ 40-11.1 Creation of positions.

A. Foreman. There is hereby created the position of Foreman. There shall be a Foreman for each Bureau of the Division of Public Works, whom shall be under the supervision of the Director of Public Works. Foremen shall organize and develop suitable work programs for the varied functions of public works; supervise collection of solid waste and recycling; give suitable assignments and instructions to individuals and groups and supervise their work; as applicable to the Bureau assigned, supervise the cleaning and repair of streets and sewers, the paving of streets, the maintenance of piers and the maintenance and care of the garbage dumps; make investigations of complaints dealing with public works and take proper action to see that needed repairs are made with a minimum of delay; prepare suitable reports; obtain, store, safeguard and supervise the proper use of needed equipment, materials and supplies; and keep needed records and files and perform such other related tasks as are required by the Director and Township Council.

B. Public Works Recycling Foreman; enforcement. There is hereby created within the Division of Public Works the position of Public Works Recycling Foreman. The Public Works Recycling Foreman shall perform all duties of Public Works Foreman and be responsible for and have authority for enforcement of Chapter 232, Burning, Outdoor, and Chapter 442, Solid Waste, of the Code of the Township of Toms River.

C. Laborer. There is hereby created the position of Laborer. Under the direction of the appropriate Bureau Foreman, the Laborer shall primarily perform varied types of manual and unskilled laboring work; may drive a truck in connection with laboring work on occasion; and do related work as required.

D. Mechanic. There is hereby created the position of Mechanic. Under the direction of the appropriate Bureau Foreman, the Mechanic shall perform varied mechanical work involved in the repair, maintenance and servicing of motor vehicles and/or construction equipment working with various machines and hand tools common to the trade. The Mechanic shall do related work as required.

E. Driver. There is hereby created the position of Driver. Under the direction of the appropriate Bureau Foreman, the Driver shall possess a valid commercial driver's license and shall drive a truck to transport materials, equipment or people, which includes, but is not limited to, Robo-garbage trucks and recycling trucks.

F. Operator. There is hereby created the position of Operator. Under the direction of the appropriate Bureau Foreman, Operator shall perform such duties as required by the Director of Public Works.

G. Clerical staff. There is hereby created the position of Senior Secretary, Secretary, and Clerk-Bookkeeper for the Division of Public Works, who shall perform such bookkeeping, payroll and clerical duties as required by the Director of Public Works.

§ 40-11.2 Bureaus within Division of Public Works.

The following Bureaus are created within the Division of Public Works:

- A. Bureau of Roads.
- B. Bureau of Equipment/Maintenance.
- C. Bureau of Recycling.
- D. Bureau of Sanitation.
- E. Bureau of Parks, Buildings and Grounds.

§ 40-11.3 Bureau of Roads; powers and duties.

The Bureau of Roads shall:

- A. Construct, repair and maintain all Township streets and roads, including pothole repair, and the cleaning and repair of catch basins.
- B. Remove snow from Township streets and roads.
- C. Maintain all signs, traffic markers and streetlights which are owned or under the control of the Township.
- D. Perform heavy street, road, drainage and park construction projects.
- E. Maintain all drainage facilities located upon Township property.

§ 40-11.4 Bureau of Sanitation.

There is hereby created a Bureau of Sanitation within the Division of Public Works, which shall be responsible for the collection and disposal of solid waste, to include the operation and use of the Township Landfill.

§ 40-11.5 Bureau of Equipment/Maintenance; powers and duties.

The Bureau of Equipment/Maintenance shall:

- A. Maintain automotive and radio equipment owned or controlled by the Township.
- B. Operate the centralized garage and motor pool.
- C. Undertake performance analysis of Township equipment.

§ 54-7Bureau of Recycling; powers and duties.

The Bureau of Recycling shall be responsible for:

- A. Administering the recycling program of the Township of Toms River under Chapter 442 of the Township Code.
- B. Administering leaf collection throughout the Township.
- C. Organizing and maintaining the Toms River Township Convenience Center and leaf yard.

§ 40-11.6 Bureau of Parks, Buildings and Grounds.

A. Establishment; powers and duties.

(1) There is hereby established the Bureau of Parks, Buildings, and Grounds, which shall be administered by the General Foreman in charge of the Road Bureau.

(2) The Bureau shall maintain all Township buildings, grounds, swimming pools, real property, and parks, including garbage removal and maintenance of restroom facilities, and shall be responsible for proper testing of bathing beach waters and swimming pool waters.

B.

Positions created. The following positions are hereby established within the Bureau of Parks, Buildings, and Grounds:

(1) Foreman.

- (2) Senior maintenance worker/custodian.
- (3) Senior groundsman.
- (4) Groundsman, full-time.
- (5) Groundsman, part-time.
- (6) Laborer, full-time.
- (7) Laborer, part-time.
- (8) Maintenance worker, full- or part-time.
- (9) Custodian.
- (10) Clerical staff.
- (11) Driver.
- (12) Golf Course Superintendent.
- (13) Assistant Foreman.

SECTION 2. Chapter 54 of the Township Code entitled Department of Public Works is hereby repealed in its entirety.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

Motion: Table Indefinitely

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Absent
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Resolutions

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.

13. Consent Items

Public Comment

The following comments were emailed into the Clerk's Office, and have been entered into the official record as per the Public Meeting Notice:

As a concerned citizen of Toms River township I would like to formally verbalize my displeasure with the mayor's proposal to cut the police department.

Chief Little has been held in high esteem by the members of the community and his department also follows suit.

They are a professional group of men and women and are always there when called. To cut a department will severely hinder the response time for calls. This will be a major detriment to our community.

Please reconsider your decision at this time. There are many issues that need to be dealt with at this time in our workday and community. Cutting the department will only contribute to the detriment people who are currently out of control and harm the good citizens of Toms River. This will become an unsafe community!

Nancy K. Manz

Hello,

For the record my name is R. Joseph Latshaw III a resident of 126 Seward Ave Toms River, NJ 08753.

I would like to express my support for the implementation of the reallocation of monies for management positions in the police department to hire more EMS employees that are needed. I do however have an issue with the way this has been brought up and implemented. It was very disheartening to see council meetings only once a month and then having a need for special meetings.

This gives residents less time to digest the information, talk with family, coworkers and friends to come to an educated position for themselves. By having special meetings you are shortchanging the democratic process. And moving to zoom is essentially limiting the public input that is needed.

The process and way you achieve a goal matters just as much as the outcome. Taking the time to go through the process and not rushing it is the proper way.

Thank you,

R. Joseph Latshaw III

As of this moment, 0704, Monday morning, January 29, 2024, there has been no Agenda posted to the Township Website, so I am requesting my time during the Council meeting to comment during each and every public comment period, including the discussion of ordinances, consent agenda and public comments, to name a few. By moving to Zoom, restricting access to the meeting in public and most importantly limiting my ability, as well as each and every interested resident of Toms River, you have violated my civil rights and I demand to be heard.

I expect to hear this comment read, and for me to be asked at every opportunity, if I have a public comment. It is my right that you have restricted as the Council of Toms River, so I am

due my time, let be 5 minutes per opportunity, but I know my rights.
Once again, had there been an agenda available I could have provided more specific comments, but just as the Mayor has a full-time job to serve as a school teacher, I have one too.

Thank you

Phil Brilliant
79 Holly Tree Lane
Toms River, NJ

Do NOT cut the two Captains positions in the Toms River police department!!
The increase in property values should provide additional revenue to hire either part time Police officers or full time.
Administration is just as vital to "boots on the ground" for an efficient running police force.
Respectfully submitted,
ANTHONY D. BERARDI

I am extremely disappointed, Mayor Broderick, for your decision to have this meeting ZOOM. You "Transparency" & promised everything to be done in the open, nothing behind closed doors anymore in Toms River..
We voted for you & feel as if you lied to get this position..
This is a very important meeting.. IT SHOULD BE A PUBLIC MEETING!
ALL VOICES SHOULD BE HEARD & the Barnabas Center or whatever they are calling it these days, next to TR North High School can accommodate thousands..
So please Mayor Broderick. Do no use the excuse of "an over crowded room". You knew this would create an outpour, now it's time for you to listen & be transparent as you promised in your campaign.
Otherwise you're just like the rest of politicians, say whatever you need to get elected.

A hopeful voter
Constance A Rutledge

To the mayor i absolutely applaud on the way this town has changed in 16 days! I have been a nurse for 40 years and before you hire more medics you should properly train the ones you have first! Besides there unsympathetic attitudes they have we don't need anymore like the ones we have! I worked years ago in the er when we didn't have them and we fine!i would not allow any family member of mine let any paramedics in their homes! Its just a money making business for the town for people to pay large amounts of money for a ride to the hospital ! This town needs more uniformed police officers and not medic who think they are cops!i have owned and lived in this town over 30 years and this is the first time I ever heard a mayor trying to cause trouble like this! He better think twice before he fires anymore township employees than he already has a replacing them with his friends!! I would say it to his face rather than in a letter but he wouldn't give me or anyone else the chance to Wednesday!

Dear Mr. Cruglio, Toms River Township Clerk,

My name is Janet Laing, 37 Cedar Dr.
I am submitting the following to be placed on record during the Toms River Township Council

Meeting set for Wednesday, January 31st.

1. It should be put on the record that this meeting is prohibitive to proper public participation in a virtual form. We all have the right to make public comment in response to matters being spoken about during a meeting. By requesting us to submit our comments over 48 hours in advance and without seeing the actual agenda (as it is still not available as of 11:30 AM on January 29th), the President of the Council has limited the public's ability to properly respond to what is being discussed during the meeting. This is a violation of our rights under The Open Public Meetings Act of NJ.

2. It should be put on the record that the Council approved the appointment of Mr. Jon Salonis as the "Director of Recreation" at the January 1st Re-Organization meeting when he does not meet the qualifications as described in the municipal code. 56-4 of the Township Code states the following:

§ 56-4 Director of Recreation.

A. Position. The head of the Department of Recreation shall be the Director of Recreation, who shall be appointed by the Mayor upon the advice and consent of the Township Council. The Director shall possess a bachelor's degree in recreation or a closely-related field and have at least five years' experience in the management and operations of recreational programs and activities."

Mr. Jonathan Salonis attests to his educational background as the following on his "Linked In" page: a Bachelors degree from Seton Hall in Political Science and a Masters Degree from Monmouth University in Public Policy. Neither of which are a related field to "recreation" as is required per Township Code. I have submitted multiple OPRA requests to both TR Township and former employers of Mr. Salonis but a resume has not been on public record according to various clerks. Can Mr. Salonis or anyone on the council prove that he has 5 years of experience "in the management and operations of recreational programs and activities?" According to OPRA request from Toms River Township, there was never a job posting (internal or external) seeking a qualified candidate for "Director of Recreation." There is also no record of an application being submitted by Mr. Salonis or an interview being conducted. I also doubt that the personnel department had the ability to check Mr. Salonis' reference and vet his work history since no resume is on file in the Personnel Department.

Were the council members aware that when they approved Mr. Salonis for this position, that he was not qualified for the job?

If unknown to them at the time, it should be put on the record that Mr. Salonis is still in his mandatory 90 day probationary period. Mr. Salonis can and should be terminated from this position and a qualified replacement should be sought out via the recruiting process outlined in the "Township of Toms River Employee Policies and Procedures" Dated June 2023.

Respectfully,
Janet Laing

Dear Township Clerk:

Please have my comments below added to the public comment record for 1/31/2024 meeting. I just tried to view the Agenda on the township site for the meeting and it states "no meeting files."

I, Julie Adamek, 69 Cedar Grove Road, Toms River, on proposed Ordinance 165-4B to eliminate fee for dog/cat adoption fee. I am opposed to this proposed ordinance as it sets the shelter up for failure since there will be no revenue generated, puts animals at risk for adoption

by individuals intending to abuse the animals or for lab experimentation. A permanent ordinance is not needed. Rather the township could waive the fee on a temporary basis like many rescues/shelters do (i.e. 1-3 mos.) to help lower their numbers when they reach capacity or above and could do this via a proclamation.

Having a fee and having people come in on a scheduled appointment is common practice even with rescue groups. It makes people who are potential adopters pause and not act impulsively in adopting a pet only to come a week or a month later to return the pet because they didn't think this through at all. It further allows them to prepare and purchase necessary supplies for the pet such as bedding, food, toys, etc.

Toms River needs to implement a TNR (trap neuter release) program like neighboring towns such as Seaside and Brick have done which would help reduce the number of cats/kittens being brought to the shelter and address some of the root causes of the problem including understaffing of the shelter, lack of awareness by the residents of the location/existence of the shelter, resurrect the volunteer program for dog walkers/cat socializers, assign township PR person to take pictures of the animals weekly and post the adoptable animals on pet related adoption sites to increase visibility as well as interface with the newspaper/media doing the same.

I, Julie Adamek, 69 Cedar Grove Road, Toms River, on proposed ordinance revising the roster of positions in the police department 50-3B, 50-3G and 50-3R. I am requesting that you table this ordinance to allow further public discussion/comment and presentation by the Council at an in-person venue due to misinformation being conveyed at the 1/18/24 meeting in which it was stated more than once that these 2 captain salaries amounted to 800K including pension of 90K, health insurance and would be eliminated with their expected retirement and the money reallocated to 8 EMS positions. The subsequent letter by the Mayor contained contradictory information now stating the 2 salaries amounted to 700K (and 61K on the back) and that 7 patrol officers were signed off on. Nothing was mentioned about that at the 1/18th meeting however the media has published that those positions are not street police positions but rather for Class 1 officers who cannot carry a weapon or make arrests and are seasonal help. That is misleading to the public.

Julie Adamek
69 Cedar Grove Road, Toms River

I disagree with eliminating the adoption fees at the Toms River Animal Shelter. The shelter will require these fees to continue to operate. I hope this is not a way to empty out the shelter of adoptable pets only to close shelter down the road. Please convey this message to the Council Members at the meeting scheduled for January 31st, 2024.

Thank you.

Susan Shaw

I want meeting in person .

No virtual

Let our voice be heard Wednesday I will be in lawn.

Thanks

Dear Sir/Madam,

The Toms River Animal Shelter, as you may know, was founded by ordinance by the then Toms River Council, and has been supported for the past 12 years by the people of Toms River. The shelter provides a great service to the community as well as the animals that are sheltered and later adopted by caring individuals. The employees at the shelter are dedicated to providing a clean environment, food and shelter for these animals. The shelter's employees are willing to go above and beyond their regular duties to reschedule more hours for anticipated adoptions, and have stated so in an email to the administration. But, if there are no animals there because it has been decreed that strays and homeless animals are to be sent to the county shelter, what is the point of extra open hours?

This shelter is by no means overcrowded, and at this point, animals should not be refused and sent to the county shelter where they held for 8 days after which it is decided if they are suitable for adoption or, if not euthanized. The animal shelter **MUST** not be closed, but perhaps more efficiently administrated, more adequately staffed, adoptions more extensively advertised, and hours changed according to needs. But, most of all because it serves God's creatures and our community.

Professor Elizabeth Porcelli

January 31, 2024

Mayor Rodrick and Toms River Township Council Members,

I am the President of International Association of Firefighters Local 4846, the labor union which represents the sixteen full-time Community Service Officers employed by the Toms River Police Department.

I apologize for not being able to attend tonight's meeting, but I am working on the ambulance and was not able to find coverage for my shift.

On behalf of our union, I would like to thank you all for supporting the hiring of eight additional full-time Community Service Officers. Despite what I have seen on social media and in some news articles, the reason for our current staffing levels does not have anything to do with a small pool of applicants. The truth of the matter is that the township has not allowed us to add full-time CSOs to our organization in over ten years. When the CSO program was founded in 2002, it was created to supplement the six volunteer ambulance services that were active in the township. While we value and respect the volunteer organizations that remain in the township, only two of those volunteer services still operate but only for a few days per week on a voluntary basis. Another one of them has become a 24/7 paid organization. Most, if not all, of our members have roots in volunteer EMS organizations, but in a township with 13,233 EMS calls in 2023 it is no longer feasible to rely on volunteers to provide this necessary service to our residents and visitors. From 2010 to 2023 there has been an increase of about 3,000 EMS calls per year. That being said, as the township's population and commercial footprint has increased, the number of ambulances on the road has actually decreased over the years.

I think it is important for the residents to know that there have been numerous instances of threats from the township to terminate all sixteen Community Service Officers over the years and have a third party provide ambulance services to the township. Despite that, the CSOs have bravely responded to calls for service every day as well as during natural disasters and were not only on the frontlines during COVID-19, but also supported the efforts of the county to provide testing sites and vaccines to the public. We are grateful that this administration has finally recognized the townships need for increased EMT staffing. If you look elsewhere in Ocean County and in other parts of New Jersey, you will find other townships that were not as wise and have third party services unable to provide their promised ambulances. With the support of this council, and under the excellent leadership of Chief Little, Toms River will never have to worry about that problem.

In 2023, of those 13,233 EMS calls, there were 716 instances where an ambulance was not immediately available to respond from within the township. While we have mutual aid agreements with surrounding townships, we consider that number to be unacceptable. In the summer months of 2023, when there was an additional ambulance on the Barrier Island for 12 hours per day, the number of times that there were no ambulances available was significantly decreased compared to the rest of the year, despite them being our busiest months overall. As of January 30, 2024, there has already been 1080 EMS calls in town, an average of 36 calls per day. The addition of these eight full-time CSOs is long overdue and the residents and visitors of this great township deserve them.

We look forward to working with the township and our leadership at the Toms River Police Department to continue providing the best possible Emergency Medical Services to Toms River Township.

Dominick Rotondo
President
IAFF Local 4846

The meeting was called due to technical difficulties.

EXHIBIT D

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, February 14, 2024
2:00 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:** January 31, 2024 Regular Meeting
6. **Honoring Resolutions and Presentations:**

Ordinances - Final Readings

7. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement
8. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending §165-45B Of The Township Code To Eliminate The Adoption Fees For Dogs And Cats From The Toms River Animal Shelter
9. **ORDINANCE** Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing The Township Code To: (1) Establish The Divisions Of Roads And Sanitation Within Chapter 40 (Department Of Administration); (2) Repeal Chapter 54

(Department Of Public Works) In Its Entirety; And (3) Place The Division Of Parks, Buildings, And Grounds Under The Department Of Recreation

10. **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 Include The Placement Of Stop Signs On Hickory Hill Road At The Intersection Of Hickory Hill Road And Harbor View
11. **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, Stop Signs Installed On Yorktowne Boulevard And Mount Carmel Boulevard, All Approaches
12. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Hovsons Boulevard – Speed Reduced To 25 Miles Per Hour For The Entire Length And Remove Zone 1 And Zone 2
13. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Yorktowne Boulevard – Speed Reduced To 25 Miles Per Hour For The Entire Length
14. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §48-6 Of The Township Code To Create The Division Of Zoning, Planning And Property Maintenance And Repealing §48-8

Resolutions

15. RESOLUTION Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of Pool General Legal And Litigation Services For The Calendar Year 2024, To Be Utilized On An As-Needed Basis

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.

16. 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 Funds Be Escheated To The State Of New Jersey, Department Of Treasury, Unclaimed Property Division
- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Issuance Of Duplicate Tax Sale Certificates
- e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, County Of Ocean, And State Of New Jersey, Authorizing The Township Of Toms River To Accept A Fy23 Homeland Security Grant From The State Of New Jersey, Office Of Homeland Security And Preparedness, In The Amount Of \$20,873.00, For The Purchase Of Tactical Equipment, And Authorizing The Mayor To Execute And The Township Clerk To Attest To A Memorandum Of Understanding With The County Of Ocean/Ocean County Sheriff'S Department In Connection With This Grant
- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Additional Open-Ended Contract For Snow Plowing And Natural Disaster Clean-Up Services To R. Lawson & Co, Llc, Commencing Date Of Award Through September 30, 2025
- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For Emergency Vehicle Service And Repairs To Oem Vehicles, To Freehold Ford Inc., As The Lowest Responsive, Responsible Bidder Meeting All The Bid Specifications
- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, For Support From Local Governing Body Authorizing The Fy 2024 Local Recreation Improvement Grant (Lrig) Application Funded By The New Jersey Department Of Community Affairs
- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Shared Services Agreement Between The Township Of Toms River And The Office Of The Ocean County Prosecutor For The 2024 Prosecutor's Program (Formerly Known As The Fatal Accident Support Team, F.A.S.T.)
- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 992, Lot 13 (1 Diane Lane)
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 1001, Lot 158.01 (1 Second Avenue)
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Site Plan Known As Block 444.01, Lot 20 (843 Fischer Blvd)

- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Subdivision Known As, Arya Properties, Llc, Block 235, Lot 5.02 (Kettle Creek Road)
- n. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Major Subdivision Known As Raider Estates, Block 764 And 768, Lots 51-55 And 16-30 (Pantzer Street)
- o. **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 794.36, Lot 6 & 8 (Waldron Road)
- p. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing Purchases From Approved Cooperative Contracts With Awarded Vendors For Calendar Year 2024 Pursuant To N.J.S.A. 40A:11-11(5) And N.J.A.C. 5:34-7.1 Et Seq.
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Contract With Atlantic Salt Inc., For The Purchase Of "Deicing Salt", Which Expires August 1, 2024, For The Department Of Public Works, Utilizing The Ocean County Cooperative Pricing System Contract Bid #B2023-120, In The Estimated Amount Of \$156,000.00, Which Will Give The Department Of Public Works The Ability To Purchase On An As-Needed Basis
- r. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey Supporting The New Jersey Department Of Transportation's Prohibition Of Left Turn Movements From The Driveway Of The Office Complex Proposed For Block 135, Lot 4 (117 Rt. 70)
- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Utilize State Contract T0109 For Maintenance Of Motorola Radio Communications Equipment For The Police Department Using Contract #83909, With Motorola Solutions, Inc., C/O Wireless Communications Electronics, Effective Retroactive To January 1, 2024 Through June 30, 2024, In The Total Contract Amount Not To Exceed \$22,447.00
- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Renewal of Massage Business Licenses
- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Accepting A Grant From, And Authorizing A Grant Agreement With, The County Of Ocean For Senior Services, Congregate Nutrition And Caregivers Grant For Calendar Year 2024
- v. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing The Township Insurance Fund Representative
- w. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Awarding A Contract To Foundation Risk Partners, Corp. D/B/A Fairview

Insurance Agency Associates For Employee Benefits Consultancy And Brokerage Services For Medical, Prescription, Dental, And Vision Coverage

- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of John J. Novak, Esq., Matthew Sage, Esq. And Robert C. Shea Ii, Esq. As Part-Time Municipal Public Defenders For The Township Of Toms River Commencing From Date Of Award Through December 31, 2024, In The Total Estimated Amount Of \$30,000.00 Per Firm, For Calendar Year 2024
- y. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Fair And Open Professional Legal Service Contract With Louis N. Rainone, Esq., Of The Law Firm Of Rainone, Coughlin, Minchello, Llc, To Advise, Consult, And Represent The Township Of Toms River With Regard To The Local Redevelopment And Housing Law, For A Total Maximum Contract Amount Not To Exceed \$70,000.00 For Cy 2024, And Authorizing The Mayor To Execute And The Township Clerk To Attest To Any And All Documents, Including Any Retainer Agreements, Associated With The Contract Approved Hereunder
- z. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Appointment Of Jonathan Salonis As Business Administrator
- aa. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Purchasing Division To Advertise And Receive Sealed Proposals For The Provision Of Animal Control Services, Using A Competitive Contracting Process Pursuant To N.J.S.A. 40A:11-4.3(A)

Reports

17.	Building Department	2023	2022
	Building Permits - December	\$186,381.00	\$286,814.00
	Building Permits - YTD through December	\$3,505,617.00	\$3,772,693.00
	Recreation Department	2023	2022
	Bey Lea Golf Course- December	\$71,940.48	\$60,779.47
	Bey Lea Golf Course- YTD through December	\$2,122,619.68	\$1,801,676.69
	Winding River Ice Rink- December	\$187,106.00	\$150,972.97
	Winding River Ice Rink- YTD through December	\$1,280,747.52	\$1,122,217.90

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

18. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing An Executive Session To Discuss Confidential Matters Covered Under N.J.S.A. 10:4-12B Including Executive Session Minutes Review And Personnel Matters

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL MINUTES
Wednesday, February 14, 2024
2:00 PM**

1. Meeting called to order.

A **Special Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 2:01 PM.

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

2. Flag salute.

3. Open Public Meetings Act statement.

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

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Monday, **February 12, 2024**, the Star Ledger and also posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk. This meeting was also posted on the Township web page.

4. ROLL CALL:

CICCOZZI	Present
LAMB	Present
LOBMAN	Present

NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

Council President Coleman opened with a statement asking that no one should speak out of term, and that public comment time will be 90 minutes per Final Reading Ordinance. He then allowed Mayor Rodrick to address the public. Mayor Rodrick spoke of the need for more EMT/CSOs and by not replacing two Police Captains, they can budget for 8 CSOs.

Councilman Quinlisk asked to call a motion to adjourn the special meeting, because he felt that it was done illegally.

Motion: Adjourn February 14, 2024 Special Meeting

Motion Made By: James Quinlisk

Seconded: David Ciccozzi

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- No
Council Member Nivison	- No
Council Member Quinlisk	- Yes
Council Member Lobman	- No
Council Vice-President O'Toole	- No
Council President Coleman	- No

5. **Minutes:** January 31, 2024 Regular Meeting

Motion: Approve January 31, 2024 Regular Meeting Minutes

Motion Made By: Justin Lamb

Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

6. **Honoring Resolutions and Presentations:**

None

Ordinances - Final Readings

7. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement

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

1. Section 50-3B of the Township Code is hereby amended and supplemented to provide as follows:
 - B. Captain of Police: one.
2. Section 50-3G of the Township Code is hereby amended and supplemented to provide as follows:
 - G. Police officers: 112
3. Notwithstanding the amendment to Section 50-3B above, any officer currently serving in the position of Captain of Police or Deputy Chief of Police as of January 18, 2024, excluding any officer serving in either of those positions in an acting capacity as of that date, may serve in those positions until their effective date of retirement, resignation, or other separation of employment from Toms River Township.
4. All other provisions of Chapter 50 not inconsistent herewith remain in full force and effect.
5. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
6. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.
7. 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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

Stan Mann, 259 South Shore Drive, is against this ordinance, because he feels there is better ways to find funding to hire CSOs.

Kenneth Thomas, 100 Puffin Galde Bayville NJ, President of PBA Local 137, is apposed to reduction in Toms River Police staffing, regardless of rank or title. He discussed the importance of every police officer and how they are already under staffed.

Ron Sermarini, 373 Hope Dale Dr. Bayville, President of the Fraternal Order of Police, stated that the FOP would never support making cuts to the police department. He thanked the people who come out and supported the Police Department. Ron also stated how cutting half the Captian positions will only hurt the community.

Karen Hopson, 34 Trinidad Ave, states she is disappointed in whats happening in Toms River Township. She is worried that the Business Administrator and Assistant Administator left because they weren't happy what was going on. She feels that the Chief of Police should be making decisions for his staff, and not someone without the

qualifications.

Jillian Messina, Former PIO for the Toms River Police Department, handed out a letter to all the council. Jillian presented diagrams of what will happen if you cut positions from the top. She would like the council to look into grants before removing positions from the Police Department. Jillian stated that she helped raise over a million dollars for community outreach.

James Troisi, Trenton New Jersey, State Department of Police, is strongly against this ordinance. He states they should have done more research before making cuts in law enforcement, and that Lavallette was taken over by prosecutors office for doing such things. He asked that the Council Members that have been arrested by Toms River Police recuse themselves from this vote as a conflict of interest.

Jeff Lenox, 118 Maple St, started by thanking Councilmen Quinlisk and Ciccozzi for supporting the Toms River Police Officers. He asked the council to reconsider this ordinance, by removing 2 Captains they will effect the entire department pushing more task on other police officers that are already overloaded.

Phil Brilliant, 79 Holly Lane, asked for the ordinance to be tabled indefinitely. He strongly believes there are ways to work together to help the community with out making cuts.

Dana Tormollan, Messenger St., states she doesn't feel that the new Business Administrator is qualified to be making decisions and/or disciplining the Police Department.

Chris Raymond, 111 Flag St., says he is against this ordinance, and hopes Councilman Coleman will hold off on making a decision, and speaks to the Chief of Police who is more suited to make this kind of decision.

Kevin Jacobs, 111 Baywood Dr., states the township population has grown but the Police Department has not, and now you want to make cuts. He says this is a safe and respected town why make any changes.

Carlos Amizar, Winteringham Apartments, believes he has a resolution that makes everyone happy and does not effect the police force. He would like to meet with the Council to see if he can come up with a way to gain the town revenue without cutting police officers. He would like the Council to unite and work together to make this town better.

Jeff Kettig, 192 Cranberry Rd., retired Toms River Police Captain, states he is against this ordinance. He was upset because he e-mailed the council and only heard back from Quinlisk and Ciccozzi. He said the same thing happened in 1992, and things did not work out then with a smaller population.

David Paulus, 729 Marie St., state he is against the ordinance and upset about the letter the Mayor sent out to all residents. He believes it is false information.

Karen Hopson, 34 Trinidad Ave, feels like making these cuts in the Police Department will be a huge liability, and feels this is why the last Business Administator and Assistant Administrator resigned.

Jim, 61 Oak Glen Rd., is against the ordinance, and doesn't feel it's right to overload work on other police officers.

Anthony Sergio, Madison ave, is against this ordinance. He believes there has to be a way to hire EMT without cutting police officers.

Craig Bierbaum, 618 Weston Dr, fireman for over 30 years, is against this ordinance, feels we need supervision to have a strong department. He talked about the need for public safety, so we should not make any cuts to the Police Department.

Tracy Fournier, 15 N. Tunesbrook Dr. is against the ordinance and believes we should never cut police officers.

Liz Dorick, 504 Pheasant Lane, is the spouse of a retired Police Captain, and is asking the council to table this ordinance, and to do what is right for the town.

Abraham Hershkowirz, 342 Marc Dr., feels Toms River Police Officers are an asset to this community, and removing them will be a huge liability.

Brian Jackson, US Senate Candidate, asked them to fund the Police.

Joe Nardini, Derry Dr, asked the council to make the right decisions and not just listen to the Mayor.

Motion: Close Public Comment

Motion Made By: Craig Coleman

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 7. Ordinance

Motion Made By: Thomas Nivison

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

8. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending §165-45B Of The Township Code To Eliminate The Adoption Fees For Dogs And Cats From The Toms River Animal Shelter

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

1. Section 165-45B of the Township Code is hereby amended and supplemented to provide as follows:

B. There shall be no fee imposed upon any individual or nonprofit organization to adopt dogs or cats from the Toms River Animal Shelter.

2. All other provisions of Chapter 165 not inconsistent herewith remain in full force and effect.

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

4. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

5. 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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

Andy Drag, 1557 Chatham Dr, stated he does not agree with free adoption. If you can't afford adoption fees, you probably can not afford an animal.

Julie Adamek, 69 Cedar Grove Rd., is against the ordinance because it makes it easier for people who should not have animals to get them, and possible harm them.

Sandra, 255 Oak Ave, questioned the councils integrity.

Motion: Close Public Comment

Motion Made By: Lynne O' Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes

Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 8. Ordinance

Motion Made By: Lynn O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

9. **ORDINANCE** Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing The Township Code To: (1) Establish The Divisions Of Roads And Sanitation Within Chapter 40 (Department Of Administration); (2) Repeal Chapter 54 (Department Of Public Works) In Its Entirety; And (3) Place The Division Of Parks, Buildings, And Grounds Under The Department Of Recreation

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

- Chapter 40 (Department of Administration) of the Township Code is hereby amended and supplemented to add the following provisions:

§ 40-11. Divisions of Roads and Sanitation.

A. *Division of Roads.* There is hereby created the Division of Roads, the head of which shall be the Division Manager of Roads. This position shall be appointed by the Mayor. The Division Manager shall report directly to the Township Business Administrator.

- The Division of Roads shall be responsible for:

- Constructing, repairing, and maintaining all Township streets and roads, including pothole repair, and the cleaning and repair of catch basins.

- b. Removing snow from Township streets and roads.
- c. Maintaining all signs, traffic markers, and streetlights which are owned or under the control of the Township.
- d. Maintaining all drainage facilities located upon Township property.

2. The following bureaus full under the supervision and oversight of the Division of Roads:

a. Bureau of Equipment/Maintenance. The Bureau of Equipment and Maintenance shall be responsible for:

- i. Maintaining automotive and radio equipment owned or controlled by the Township.
- ii. Operating the centralized garage and motor pool.
- iii. Undertaking performance analysis of Township equipment.

B. Division of Sanitation. There is hereby created the Division of Sanitation, the head of which shall be the Division Manager of Sanitation. This position shall be appointed by the Mayor. The Division Manager shall report directly to the Township Business Administrator.

1. The Division of Sanitation shall be responsible for the collection and disposal of solid waste, including the operation and use of the Township Landfill.

2. The following bureaus fall under the supervision and oversight of the Division of Sanitation:

- a. Bureau of Recycling.* The Bureau of Recycling shall be responsible for:
- i. Administering the recycling program of the Township of Toms River under Chapter 442 of the Township Code.
 - ii. Administering leaf collection throughout the Township.
 - iii. Organizing and maintaining the Toms River Township Convenience Center and leaf yard.

C. Other positions within the Divisions of Roads and Sanitation.

1. *Foreman.* There is hereby created the position of Foreman. There shall be a Foreman for each the Division of Roads and the Division of Sanitation, whom shall be under the supervision of the respective Division Managers. Foremen shall organize and develop suitable work programs for the varied functions of each Division; supervise collection of solid waste and recycling; give suitable assignments and instructions to individuals and groups and supervise their work; as applicable to the Bureau assigned, supervise the cleaning and repair of streets and sewers, the paving of streets, the maintenance of piers and the maintenance and care of the garbage dumps; make investigations of complaints dealing with their respective Divisions and take proper action to see that needed repairs are made with a minimum of delay; prepare suitable reports; obtain, store, safeguard and supervise the proper use of needed equipment, materials and supplies; and keep needed records and files and perform such other related tasks as are required by the Director and Township Council.

2. *Assistant Foreman.* The position of Assistant Foreman is hereby created. There shall be two Assistant Foreman assigned to the Division of Roads, and one Assistant Foreman assigned to the Division of Sanitation. The Assistant Foremen shall assist in the performance of the duties of, and other tasks assigned by, their respective Foremen.

3. *Recycling Foreman.* There is hereby created within the Division of Sanitation the position of Recycling Foreman. The Recycling Foreman shall perform all duties of Recycling Foreman and be responsible for and have authority for enforcement of Chapter 232, Burning, Outdoor, and Chapter 442, Solid Waste, of the Code of the Township of Toms River.

4. *Laborer.* There is hereby created the position of Laborer. Under the direction of the appropriate Division Foreman, the Laborer shall primarily perform varied types of manual and unskilled laboring work; may drive a truck in connection with laboring work on occasion; and do related work as required.

5. *Mechanic.* There is hereby created the position of Mechanic. Under the direction of the appropriate Division Foreman, the Mechanic shall perform varied mechanical work involved in the repair, maintenance and servicing of motor vehicles and/or construction equipment working with various machines and hand tools common to the trade. The Mechanic shall do related work as required.

6. *Driver.* There is hereby created the position of Driver. Under the direction of the appropriate Bureau Foreman, the Driver shall possess a valid commercial driver's license and shall drive a truck to transport materials, equipment or people, which includes, but is not limited to, Robo-garbage trucks and recycling trucks.

7. *Operator.* There is hereby created the position of Operator. Under the direction of the appropriate Bureau Foreman, Operator shall perform such duties as required by the Division Managers.

8. Clerical staff. There is hereby created the position of Senior Secretary, Secretary, and Clerk-Bookkeeper for the Divisions of Roads and Sanitation, who shall perform such bookkeeping, payroll and clerical duties as required by the Division Managers.

2. Chapter 54 (Department of Public Works) of the Township Code is hereby repealed in its entirety.

3. Chapter 56 (Department of Recreation) of the Township Code is hereby amended and supplemented to add the following subsection:

§ 56-15. Division of Parks, Buildings and Grounds.

A. Establishment; powers and duties.

(1) There is hereby established the Division of Parks, Buildings, and Grounds, which shall be under the Department of Recreation and overseen by the Director of Recreation.

(2) This Division shall maintain all Township buildings, grounds, swimming pools, real property, and parks, including garbage removal and maintenance of restroom facilities, and shall be responsible for proper testing of bathing beach waters and swimming pool waters.

B. Positions created. The following positions are hereby established within the Bureau of Parks, Buildings, and Grounds:

1. Foreman.
- (2) Senior maintenance worker/custodian.
- (3) Senior groundsman.
- (4) Groundsman, full-time.
- (5) Groundsman, part-time.
- (6) Laborer, full-time.
- (7) Laborer, part-time.
- (8) Maintenance worker, full- or part-time.
- (9) Custodian.
- (10) Clerical staff.
- (11) Driver.
- (12) Golf Course Superintendent.
- (13) Assistant Foreman.

4. Section 23-1A(6) of the Township Code is hereby repealed and re-designated as "Reserved."
5. All other parts of Chapters 40, 56, and 23 remain in full force and effect.
6. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
7. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.
8. 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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

Janet Laing, 347 Cedar Dr., handed out the efficiency study to the council. She states that Park, Building, & Gounds be under Public Works like the study shows. She is against the ordinance, and thinks that things were handled better before.

Motion: Close Public Comment
Motion Made By: Lynn O'Toole
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi

- No

Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 9. Ordinance

Motion Made By: Lynn O'Toole

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

10. **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 Include The Placement Of Stop Signs On Hickory Hill Road At The Intersection Of Hickory Hill Road And Harbor View

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:

INTERSECTION:

STOP SIGNS INSTALLED ON:

Hickory Hill Road and Harbor View

Hickory Hill 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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

-No comment

Motion: Close Public Comment

Motion Made By: Lynn O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 10. Ordinance

Motion Made By: Lynn O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

11. **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, Stop Signs Installed On Yorktowne Boulevard And Mount Carmel Boulevard, All Approaches

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:

-

INTERSECTION:

Yorktowne Boulevard and
Mount Carmel Boulevard

STOP SIGN INSTALLED ON:

Yorktowne Boulevard and
Mount Carmel Boulevard, all
Approaches

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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

-No Comment

Motion: Close Public Comment

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 11. Ordinance

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Abstained
Council President Coleman	- Yes

12. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
Hovsons Boulevard – Speed Reduced To 25 Miles Per Hour For The Entire Length And Remove Zone 1 And Zone 2

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

1. Section 477-79, Schedule XXI (Speed Limits) of Chapter 477 (Vehicles and Traffic) is hereby amended and supplemented to reduce the speed limit on Hovsons Boulevard to 25 MPH and remove Zone 1 and Zone 2, to promote enhanced vehicular and pedestrian safety, as follows:

NAME OF STREET: Hovsons Boulevard
SPEED (MPH): 25

LOCATION: Entire length

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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

-No Comment

Motion: Close Public Comment

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes

Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 12. Ordinance

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Abstained
Council President Coleman	- Yes

13. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing Section 477-79, Schedule Xxi (Speed Limits) Of Chapter 477 (Vehicles And Traffic) Of The Township Code, Reducing The Speed Limit On:
 Yorktowne Boulevard – Speed Reduced To
 25 Miles Per Hour For The Entire Length

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

1. Section 477-79, Schedule XXI (Speed Limits) of Chapter 477 (Vehicles and Traffic) is hereby amended and supplemented to reduce the speed limit on Yorktowne Boulevard to 25 MPH, to promote enhanced vehicular and pedestrian safety, as follows:

NAME OF STREET: Yorktowne Boulevard

SPEED (MPH): 25

LOCATION: Entire length

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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

-No Comment

Motion: Close Public Comment

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 13. Ordinance

Motion Made By: Thomas Nivison

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Abstained
Council President Coleman	- Yes

14. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Amending And Supplementing §48-6 Of The Township Code To Create The Division Of Zoning, Planning And Property Maintenance And Repealing §48-8

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

- Section 48-6 is hereby renamed as "Division of Zoning, Planning and Property Maintenance" and amended and supplemented with subsection C, which shall read as follows:
 - There is hereby created a Bureau of Property Maintenance, which shall perform the following functions:

1. Conduct field inspections and special investigations to ensure compliance with municipal ordinances.
 2. Initiate and enforce rules and regulations in relation to enforcement of ordinances.
 3. Initiate necessary legal action for violations of municipal ordinances.
 4. Perform any other such function as necessary to administer the Division's purposes.
2. Section 48-6 is hereby further amended and supplemented with subsection D, which shall read as follows:
- d. Other positions created:
- i. Housing, Property Maintenance, and Assistant Code Enforcement Officer;
 - ii. Assistant Code Enforcement Officers, full-time;
 - iii. Assistant Code Enforcement Officers, part-time;
 - iv. Clerical support staff; and
 - v. ADA Coordinator.
3. Section 48-8 of the Township Code is hereby repealed and reserved.
4. Any references contained in the Township Code to the Division of Code Enforcement shall be repealed and replaced by the Bureau of Property Maintenance hereby created.
5. All other provisions of Chapter 48 not inconsistent herewith remain in full force and effect.
6. All ordinances or parts of ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.
7. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.
8. 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.

Council President Coleman opened to public comment and asked if anyone wished to speak at this time.

Joe Coco wants to know what this ordinance means for Code Enforcement. Mayor Rodrick says all it does is puts all the departments under Engineering. Joe asked if the supervisor is still there in code enforcement, just want to be clear the supervisors position is still in place. Mayor Rodrick said yes the supervisor is still there, and the department is just under Engineering.

Jennifer Howe asked why the council is putting on resolutions to make changes to departments without even knowing what is done in these departments, and how many people are losing jobs because of it.

Bob Tormollan, Messenger St., is upset about the letter the mayor sent out about the police, feels like its a lie.

Motion: Close Public Comment

Motion Made By: Lynn O'Toole

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Final Reading of Item 14. Ordinance

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Resolutions

15. RESOLUTION Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of Pool General Legal And Litigation Services For The Calendar Year 2024, To Be Utilized On An As-Needed Basis

FEBRUARY 14, 2024

WHEREAS, the Township of Toms River has a need to acquire Pool General Legal and Litigation services, on an as-needed basis, commencing February 15, 2024, up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on February 9, 2024; and

1. Barker, Gelfand, James & Sarvas, PC, 210 New Road, Suite 12, Linwood, NJ 08221
2. Citta, Holzapfel & Zabarsky, 248 Washington Street, Toms River, NJ 08753
3. Clark & DiStefano, 3318 NJ-33, Neptune, NJ 07753
4. Dasti & Staiger, 310 Lacey Road, PO Box 779, Forked River, NJ 08731
5. Eric M. Bernstein & Associates, LLC, 34 Mountain Blvd., Bldg. A, Suite 100, Warren, NJ 07059-4922
6. Kevin B. Riordan, Esq., L.L.C., 20 Hadley Avenue, Toms River, New Jersey 08753
7. Marmero Law, LLC, 44 Euclid Street, Woodbury, NJ 08096
8. Rainone, Coughlin, Minchello LLC, 555 US Highway South, Suite 440, Iselin, NJ 08830-3100
9. Rothstein, Mandell, Strohm, Halm & Cipriani, PA, 98 East Water Street, Toms River, NJ 08753
10. Rumpf Law, PC, 11 Leifried Lane, Tuckerton, NJ 08087

WHEREAS, the firm of Barker, Gelfand, James & Sarvas is a professional corporation which specializes in civil and administrative litigation matters and particularly in matters involving public entities, officers and employees. They have have earned a reputation for excellence in all phases of trial and litigation in both the State courts and the Federal Courts of New Jersey; and

WHEREAS, the firm of Citta, Holzapfel & Zabarsky, has represented numerous municipalities, as a municipal solicitor, labor counsel and land use board counsel, and has represented the Township of Toms River in an efficient and professional manner; and

WHEREAS, the Senior Partner, James S. Braaten, Esq., of the firm of Clark & DiStefano has extensive litigation and case management experience and local trial counsel experience, civil litigation, medical malpractice, class actions, corporate and commercial contracts, corporate litigation, corporate compliance and government investigations and regulatory activity; and

WHEREAS, the Dasti & Staiger law firm currently serves as municipal attorney for Barnegat Twp, Ocean Twp (Waretown), South Toms River, Manchester and Berkeley Townships; and

WHEREAS, the Eric M. Bernstein & Associates, LLC firm members specialize in the representation of public entities, and they are best equipped to handle all the needs of the Township of Toms River. They have extensive experience in litigation in liability, jury trials at the Federal and State level, Workmen's Compensation litigation and risk assessment and representing and advising governmental entities and their elected officials, officers and employees; and

WHEREAS, the firm of Kevin B. Riordan, L.L.C. has represented various municipalities in defense litigation, was appointed as Borough Attorney for Point Pleasant Beach and Labor Attorney for Stafford Township; and

WHEREAS, the Marmero Law firm represents several public entities in multiple capacities. The firm has represented and/or continues to represent various

municipalities which include Deptford, Easthampton, Galloway, Fairfield, Pittsgrove, and Riverside Townships, etc.; and

WHEREAS, the Rainone Coughlin Minchello law firm has decades of experience representing public entities at every level of government. They currently represent Township of Brick, City of Burlington, City of Clifton, Township of Dover, Township of East Brunswick, and many others; and

WHEREAS, the Rothstein, Mandell, Strohm law firm serve as municipal attorney for the Township of Little Egg Harbor, and the Borough of South River, and they also currently serve as general counsel to the South Toms River Sewerage Authority, Pennington Volunteer Fire Company and Toms River Fire District No. 1, etc.; and

WHEREAS, the Rumpf Law Firm practice areas are municipal law, land use, insurance defense, workers' compensation defense, probate and wills, landlord/tenant and general practice of law. They represent Barnegat, Twp., Lakehurst, Lacey, Long Beach, Manchester, Point Pleasant and others;

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to contracts with the firms of:

1. Barker, Gelfand, James & Sarvas, PC
2. Citta, Holzapfel & Zabarsky
3. Clark & DiStefano
4. Dasti & Staiger
5. Eric M. Bernstein & Associates, LLC
6. Kevin B. Riordan, Esq., LLC
7. Marmero Law
8. Rainone, Coughlin Minchello
9. Rothstein, Mandell, Strohm, Halm, Cipriani
10. Rumpf Law PC

for pool general legal and litigation services for 2024, to be used on an as-needed basis, commencing February 15, 2024 up to and including December 31, 2024 at the rate of \$135.00 per hour, for a total maximum amount not to exceed \$200,000.00 for CY2024, for all legal services required, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

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

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) Township Administrator
- d) Certified Financial Officer
- e) Township Attorney
- f) All Aforementioned Law Firms
- g) Purchasing Dept

Motion: Approve

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Abstained
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Abstained

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.

16. Consent Items

Motion: Approve All The Following Items Listed On The Consent Agenda Except For Items: Q, V, W, X, Y, Z, AA

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes

Council Member Nivison - Yes
 Council Member Quinlisk - Yes
 Council Member Lobman - Yes
 Council Vice-President O'Toole - Yes
 Council President Coleman - Yes

a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund and Cancelations of Tax Payments

A1

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO PROPERTY(IES) HAVE A COUNTY BOARD 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
POLOMSKI, CHARLENE & PETER	1462.17	14	2023/4	\$2,769.17
TOTAL:				\$2,769.17

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

A2

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

ZIPP & TANNEBAUM, LLC	610	4	2023/4	\$9,925.55
			TOTAL:	\$9,925.55

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

A3

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

AND;

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

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

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

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

NAME	BLOCK	LOT	Qual,Year	Amount
PALUMBO, CARLO & EVA		1015	5	-C0105 2023/4 \$1,376.02
TOTAL:				\$1,376.02

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

A4

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

AND;

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

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

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

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

NAME BLOCK LOT Qual,Year Amount

SOBIESKI, PATRICIA	135.28	7	2023/4	\$1,281.86
TOTAL:				\$1,281.86

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

- 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

B1

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 1082.09 LOT 7.02 EFFECTIVE MARCH 6, 2023, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 14, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 1082.09 Lot 7.02, located at 2319 Second Avenue, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective March 6, 2023, and

WHEREAS property taxes for 2023, 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 2023 real property taxes Block 1082.09 Lot 7.02 due on or after, March 6, 2023, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 1082.09 Lot 7.02, if any, shall be refunded on a pro-rated basis from March 6, 2023.
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

B2

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 192.14 LOT 62 EFFECTIVE APRIL 4, 2023, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 14, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 192.14 Lot 62, located at 2013 Mt Carmel Blvd, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective April 4, 2023, and

WHEREAS property taxes for 2023, 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 2023 real property taxes Block 192.14 Lot 62 due on or after, April 4, 2023, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 192.14 Lot 62, if any, shall be refunded on a pro-rated basis from April 4, 2023.
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

B3

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 364.02 LOT 35.03 EFFECTIVE OCTOBER 24, 2023, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 14, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 364.02 Lot 35.03, located at 20 Sunset Avenue, has been certified by the Tax

Assessor as a of a 100% Disabled Veteran, effective October 24, 2023, and
WHEREAS property taxes for 2023, 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 2023 real property taxes Block 364.02 Lot 35.03 due on or after, October 24, 2023, shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 364.02 Lot 35.03, if any, shall be refunded on a pro-rated basis from October 24, 2023.
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

B4

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 710 LOT 174.03 EFFECTIVE FEBRUARY 24, 2023, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 14, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 710 Lot 174.03, located at 207 Longfellow Avenue, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 24, 2023, and

WHEREAS property taxes for 2023, 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 2023 real property taxes Block 710 Lot 174.03 due on or after, February 24, 2023, shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 710 Lot 174.03, if any, shall be refunded on a pro-rated basis from February 24, 2023.

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

B5

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 608.03 LOT 8 EFFECTIVE JANUARY 1, 2023, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 14, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 608.03 Lot 8, located at 849 Brookside Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2023, and

WHEREAS property taxes for 2023, 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 2023 real property Block 608.03 Lot 8 due on or after January 1, 2023, shall be cancelled.
2. All real property taxes from the date of this Resolution paid Block 608.03 Lot 8, if any, shall be refunded on a pro-rated basis from January 1, 2023.
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

B6

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 1501.41 LOT 18 EFFECTIVE JANUARY 1, 2023, AND PROVIDING THAT PROPERTY TAXES FOR 2023, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 14, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 1501.41 Lot 18, located at 913 Cherry Cove Court, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 1, 2023, and

WHEREAS property taxes for 2023, 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 2023 real property Block 1501.41 Lot 18 due on or after, January 1, 2023, shall be cancelled.
 2. All real property taxes from the date of this Resolution paid Block 1501.41 Lot 18, if any, shall be refunded on a pro-rated basis from January 1, 2023.
 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
- c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Funds Be Escheated To The State Of New Jersey, Department Of Treasury, Unclaimed Property Division

C1

February 14, 2024

**WHEREAS THE FOLLOWING LIEN HOLDERS HAS HAD A REDEMPTION PAID AND THE LIEN HOLDER HAS NOT CASHED THEIR OUTSTANDING CHECK,
AND;**

WHEREAS, THE TAX OFFICE HAS NOTIFIED THE LIEN HOLDER SEVERAL TIMES WITH NO RESPONSE,

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, FOLLOWS:

1. *The refunds due will be escheat to the State Of New Jersey, Department of Treasury, Unclaimed Property Division*

LIEN HOLDER NAME DATE	REDEMPTION	CERTIFICATE	CERT REDEMP
HUGH F. GALLIGAN	\$166.93	97-42	6/26/2000
ALEXANDER J. SMALL	\$70.50	95278	8/6/1999
TOTAL:	\$237.43		

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

C2

**WHEREAS THE FOLLOWING TAX SALE CERTIFICATES HAS HAD LEGAL FEES PAID ON A REDEMPTION AND THE LEGAL FEES HAVE EXCEEDED THE AMOUNT ALLOWED BY THE COURTS,
AND;**

**WHEREAS, THE PROPERTIES ARE NO LONGER OWNED BY THE PROPERTY OWNER WHO REDEEMED AT THE TIME OF REDEMPTION,
AND;**

WHEREAS THE TAX OFFICE HAS NOTIFIED THE PRIOR OWNER SEVERAL TIMES WITH NO RESPONSE

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, FOLLOWS:

1. *The refunds due will be escheat to the State Of New Jersey, Department of Treasury, Unclaimed Property Division*

PRIOR OWNER NAME DATE	LEGAL FEES	CERTIFICATE	CERT REDEMP
JUAN & MILAGROS GATON MUNOZ	\$1,055.10	15- 00678	10/30/2017
JOHN & LOIS MERKLINGER	\$1,255.00	09- 00400	7/10/2012
TOTAL:	\$2,310.10		

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

Approved as to content:

C3

WHEREAS, AN OVERPAYMENT OF TAXES HAS APPEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR(S) INDICATED, AND IN THE AMOUNT INDICATED, AND;

AND;

WHEREAS, THE PARTY OR PARTIES HAVE BEEN NOTIFIED OF SAID REFUND BY MAIL BUT HAVE NOT RESPONDED,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE

COUNTY OF COUNTY OF OCEAN AND STATE OF NEW JERSEY, FOLLOWS;

- 1. THE REFUNDS DUE WILL BE ESCHEAT TO THE STATE OF NEW JERSEY, DEPARTMENT OF TREASURY, UNCLAIMED PROPERTY DIVISION

AND;

WHEREAS, THE PROPERTIES ARE NO LONGER OWNED BY THE PROPERTY OWNER WHO REDEEMED AT THE TIME OF REDEMPTION,

NAME	BLOCK	LOT	QUAL, YEAR	AMOUNT
FISHBACH, WILLIAM J.	192.46	43	2/2018	\$972.51
				\$972.51

2. Township Clerk shall send a copy of this resolution to Township Auditor, Township Chief Financial Officer, and Tax Collector.3

- d. RESOLUTION Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Issuance Of Duplicate Tax Sale Certificates

February 14, 2024

WHEREAS, PRO CAP 8 FBO FIRSTRUST BANK, IS THE HOLDER OF THE TAX SALE CERTIFICATES LISTED BELOW; AND;

WHEREAS, SAID LIEN HOLDER LOST ITS ORIGINAL TAX SALE CERTIFICATES, AND;

WHEREAS, DUPLICATE TAX SALE CERTIFICATES ARE REQUESTED FOR A FEE OF \$100.00 EACH; NOW THEREFORE,

BE IT RESOLVED, THAT THE TAX COLLECTOR IS HEREBY AUTHORIZED, PURSUANT TO NJSA 54:5-52.1 TO PREPARE AND ISSUE DUPLIATE TAX CERTIFICATES TO THE OUTSIDE LIEN HOLDERS AS FOLLOWS;

Tax Sale Certificate:
22-00180 – BLOCK 388.01 LOT 18
22-00517 – BLOCK 833 LOT 8

- e. RESOLUTION Of The Township Council Of The Township Of Toms River, County Of Ocean, And State Of New Jersey, Authorizing The Township Of Toms River To Accept A Fy23 Homeland Security Grant From The State Of New Jersey, Office Of Homeland Security And Preparedness, In The Amount Of \$20,873.00, For The Purchase Of Tactical Equipment, And Authorizing The Mayor To Execute And The Township Clerk To Attest To A Memorandum Of Understanding With The County Of Ocean/Ocean County Sheriff’S Department In Connection With This Grant

FEBRUARY 14, 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. The Township of Toms River is authorized to accept a FY23 Homeland Security Grant from the State of New Jersey, Office of Homeland Security and Preparedness, for the purchase of Tactical Equipment, in the amount of \$20,873.00.
2. The FY23 Homeland Security Grant is a program run by the Ocean County Sheriff's Department.
3. The Mayor is authorized to execute and the Township Clerk to attest to a Memorandum of Understanding between the County of Ocean/Ocean County Sheriff's Dept., and the Township of Toms River in connection with this grant.
4. The term of the Memorandum of Understanding shall be in full force and effect until July 31, 2026, or until such time as all funds have been exhausted and all obligations met.

5. 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) Certified Financial Officer
- c) Police Department, Chief Mitchell Little
- d) Police Department
- e) Office of Emergency Management
- f) Grant Coordinator
- g) Ocean County Sheriff's Office
Attn: Karin Moser, OCSO Fiscal Unit
PO Box 2191
Toms River, NJ 08753
- h) Ocean County Commissioners
P.O. Box 2191
Toms River, N.J. 08754-2191

- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Additional Open-Ended Contract For Snow Plowing And Natural Disaster Clean-Up Services To R. Lawson & Co, Llc, Commencing Date Of Award Through September 30, 2025

FEBRUARY 14, 2024

WHEREAS, Division of Purchasing is requesting authorization to award an additional contract for the Snow Plowing and Natural Disaster Clean-Up Services; and

WHEREAS, one (1) vendor from the initial bid opening was awarded a contract on August 23, 2023 at the Township Council Meeting. Three (3) vendors were awarded from the rebid on September 27, 2023, and Six (6) vendors were awarded at the negotiation opening on November 8, 2023; and

WHEREAS, one (1) additional vendor was deemed responsive by Purchasing and recommended for approval by the Department of Public Works and awarded a contract on Resolution "E" on November 21, 2023; and

WHEREAS, one (1) additional vendor was deemed responsive by Purchasing and recommended for approval by the Department of Public Works, as follows:

R. Lawson & Co., LLC
812 Donegal Ct.
Toms River, NJ 08753

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 award of an additional contract for Snow Plowing and Natural Disaster Clean-up Services to R. Lawson & Co., LLC, 812 Donegal Ct., Toms River, NJ, 08753, as follows:

a) For natural disaster clean-up, current FEMA rates shall be used for the purpose of payment to the contractor.

b) For snow plowing services, this contract shall abide by the following hourly rates for equipment and operator:

Graders, Front-End Loaders	\$475.00
Backhoes, Dump Trucks over 50,000 GVW	\$330.00
Single Axle Dump Trucks 20,000 - 50,000 GVW	\$175.00
Mason Dumps, 4x4's under 20,000 GVW	\$150.00
Skid Steer/Bobcat	\$125.00

2. Term of Contract: This contract shall commence the Date of Award through September 30, 2025. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for two (2) one-year extensions after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the vendor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended.

3. This contract shall be open-ended with funds being encumbered each time services are required, contingent upon the availability of funds in the appropriate municipal budget. All terms and conditions of the contract shall remain the same. The award of these contracts is subject to all the terms and conditions of the bid specifications.

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

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

- a) Certified Financial Officer
- b) Purchasing Division
- c) Public Works Department
- d) Township Attorney
- e) R. Lawson & Co., LLC
812 Donegal Ct.
Toms River, NJ 08753

g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For Emergency Vehicle Service And Repairs To Oem Vehicles, To Freehold Ford Inc., As The Lowest Responsive, Responsible Bidder Meeting All The Bid Specifications

FEBRUARY 14, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a

contract for Emergency Vehicle Service and Repairs to OEM Vehicles; and
WHEREAS, bids were received on January 11, 2024 for Vehicle Service and Repairs to OEM Vehicles, as follows:

	Freehold Ford Inc	Celebrity Ford of Toms River	All American Ford
	1 Municipal Plaza	360 Rte 37	3698 US Highway 9 South
	Freehold, NJ 07728	Toms River, NJ 08753	Old Bridge, NJ 08857
1	HOURLY RATE: FEBRUARY 25, 2024 THROUGH FEBRUARY 24, 2025	\$79.95	\$120.00
2	HOURLY RATE: FEBRUARY 25, 2025 THROUGH FEBRUARY 24, 2026	\$79.95	\$120.00
3	MATERIALS MARK-UP ABOVE DEALER'S COST	9.9%	10.0%

WHEREAS, the bids have been reviewed by the Purchasing Division and the Department of Police, and recommendation has been made to award an open-ended contract for Emergency Vehicle Service and Repairs to OEM Vehicles to Freehold Ford Inc. as the lowest responsive, responsible bidder meeting all the bid specifications, for a term of contract commencing February 25, 2024 through February 24, 2026;

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 Emergency Vehicle Service and Repairs to OEM Vehicles to Freehold Ford Inc., as the lowest responsive, responsible bidder meeting all the bid specifications, for a term commencing February 25, 2024 through February 24, 2026. 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.

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

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Office of Emergency Management
- e) Aforementioned bidders

- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, For Support From Local Governing Body Authorizing The Fy 2024 Local Recreation Improvement Grant (Lrig) Application Funded By The New Jersey Department Of Community Affairs

FEBRUARY 14, 2024

WHEREAS, the New Jersey Department of Community Affairs is offering the Local Recreation Improvement Grant (LRIG); and

WHEREAS, The Local Recreation Improvement Grant is a competitive grant that supports improvement and repair of public recreation facilities including local parks, municipal recreation centers, and local stadiums; and

WHEREAS, ensuring public access to community facilities is imperative given the current strain on communities confronting the COVID-19 pandemic; and

WHEREAS, access to outdoor recreation and community resources is critical for mental and physical health, particularly for those residents with limited or no other access to quality outdoor space or private recreational opportunities. Assisting local units in achieving unmet recreational obligations addresses these equity considerations, meeting the needs of communities that have been placed under substantial stress due to the lack of quality recreational facilities and spaces; and

WHEREAS, Local Recreation Improvement Grant funds will be allocated to each grant recipient to help cover costs associated with updating community centers, playgrounds, pools, fields, walking or bicycle trails, rail trails, multi-sport courts, and recreational facilities; one-time personnel costs directly related to improvements; project development professional services costs; equipment costs including playground and recreation facilities equipment; and environmental remediation costs required to prepare recreation sites for use; and

WHEREAS, the Local Recreation Improvement Grant (LRIG) exists to: Fund improvements to recreational facilities; Provide quality outdoor recreational space to underserved, communities, particularly in this time of heightened need; and assist local units in achieving unmet recreational obligations; and

WHEREAS, the Township of Toms River strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Toms River wishes to apply for funding through the NJDCA Local Recreation Improvement Grant; and

WHEREAS, the NJDCA Local Recreation Improvement Grant prioritizes unfunded projects and those that include a local match component; and

WHEREAS, the Township of Toms River is qualified to apply for this funding;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Toms River formally supports this NJDCA Local Recreation Improvement Grant application.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application for the NJDCA Local Recreation Improvement Grant on behalf of the Township of Toms River.

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

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. Business Administrator
 - c. Township Council
 - d. Certified Financial Officer
 - e. Township Attorney
 - f. Department of Recreation
 - g. Township Grant Coordinator
- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Shared Services Agreement Between The Township Of Toms River And The Office Of The Ocean County Prosecutor For The 2024 Prosecutor's Program (Formerly Known As The Fatal Accident Support Team, F.A.S.T.)

FEBRUARY 14, 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. The Mayor is hereby authorized to execute and the Municipal Clerk to attest to a Shared Services Agreement between the Township of Toms River and the Office of the Ocean County Prosecutor for the Prosecutor's Program - 2024 (formerly known as the Fatal Accident Support Team - F.A.S.T.), for the term commencing retroactive to January 1, 2024 and terminating December 31, 2024. A copy of this Agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Township Grant Coordinator
- f) Police Department, Attn: Chief Mitchell Little
- g) Certified Financial Officer
- h) Ocean County Board of Commissioners
P.O. Box 2191
Toms River, N.J. 08754-2191
- i) Ocean County Prosecutor's Office
Attn: Robert Parlow
Vehicular Homicide Unit
119 Hooper Avenue
P.O. Box 2191
Toms River, N.J. 08754-2191

- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known

As Block 992, Lot 13 (1 Diane Lane)

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, ACCEPTING PERFORMANCE GUARANTEES FOR
A MINOR SUBDIVISION KNOWN AS BLOCK 992, LOT 13
(1 Diane Lane)**

February 14, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 992, Lot 13.

WHEREAS, Performance Bonds have been posted as follows:

1. Cash Bond in the amount of \$4,700.00 which represents the performance guarantee amount.
2. Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.

1. Check in the amount of \$250.00 which represents the

escrow amount for inspection fees.

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

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

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. Jeffrey Bloomfield
Bloomin Properties LLC
9 Ella Drive
Millstone NJ 08510

- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 1001, Lot 158.01 (1 Second Avenue)

February 14, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 1001, Lot 158.01.

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond #K41782699 in the amount of \$4,500.00 which represents the ninety percent portion of the performance guarantee amount.
 2. Cash Bond in the amount of \$500.00 which represents the ten percent portion of the performance guarantee amount.
-
1. Check in the amount of \$500.00 which represents the escrow amount for inspection fees.

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

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

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

1. Township Engineer
 2. Chief Financial Officer
 3. Township Attorney
 4. Select Wireless, LLC
361 South Riverside Drive
Neptune, NJ 07753
- I. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Site Plan Known As Block 444.01, Lot 20 (843 Fischer Blvd)

February 14, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 444.01, Lot 10.

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

1. Maintenance Bond # 404245997 in the amount of \$1,215.00

is hereby released;

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. Bohler Engineering NJ, LLC

30 Independence Blvd., Suite 200
Warren, NJ 07059

- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Subdivision Known As, Arya Properties, Llc, Block 235, Lot 5.02 (Kettle Creek Road)

February 14, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 235, Lot 5.02.

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

1. Cash Bond in the amount of \$8,400.00 currently on deposit in account # 4-14- -902-101 is hereby released with applicable interest if any;

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. Arya Properties, LLC

130 Central Avenue
PO Box 145
Island Heights, NJ 08732

- n. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Major Subdivision Known As Raider Estates, Block 764 And 768, Lots 51-55 And 16-30 (Pantzer Street)

February 14, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Raider Estates, Block 764 & 768, Lot 51-55 & 16-30.

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

1. Cash Bond in the amount of \$31,790.00 currently on deposit in account # 4-14- -902-101 is hereby released with applicable interest if any;

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

1. Township Engineer

2. Chief Financial Officer
3. Township Attorney
4. ARYA Properties, LLC

130 Central Avenue
Island Heights, NJ 08732

- o. **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 794.36, Lot 6 & 8 (Waldron Road)

February 14, 2024

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

WHEREAS, Maintenance Bonds have been posted as follows:

1. Maintenance Cash Bond in the amount \$550.00 which represents the 10% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Cash Bond;

WHEREAS, the Township Engineer has made an inspection of said Minor Subdivision 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 \$4,950.00 currently on account # 4-14- -902-101,, is hereby released with applicable interest if any;

1. 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:

1. Township Engineer
 2. Chief Financial Officer
- c. Township Attorney
 - d. Michael Faccone
115 Waldron Road
Toms River, NJ 08753

- p. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing Purchases From Approved Cooperative Contracts With Awarded Vendors For Calendar Year 2024 Pursuant To N.J.S.A. 40A:11-11(5) And N.J.A.C. 5:34-7.1 Et Seq.

FEBRUARY 14, 2024

WHEREAS, the Township of Toms River is a party to cooperative purchasing agreements with the cooperative pricing councils listed on Schedule A, attached hereto and incorporated by reference, which were established and organized pursuant to N.J.S.A. 40A:11-11(5) and N.J.A.C. 5:34-7.11; and

WHEREAS, the Township is legally authorized under the Local Public Contracts law and associated regulations to purchase goods and services through a duly-formed cooperative purchasing system without public bidding; and

WHEREAS, the procurement of goods and services through a cooperative purchasing system qualifies as a fair and open process pursuant to N.J.S.A. 19:44-20.4 et seq.; and

WHEREAS, the Township of Toms River has a need to purchase, on a timely basis in calendar year 2024, goods and services through cooperative purchasing agreements with the cooperative pricing councils delineated in Schedule A attached hereto and incorporated by reference; and

WHEREAS, the Township of Toms River plans to use the cooperative purchasing program with the list of cooperative pricing councils listed in Schedule "A" and such transactions shall be subject to the prevailing cooperative purchasing agreements:

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

1. The Qualified Purchasing Agent is hereby authorized, without public bidding, to procure goods and services in calendar year 2024 using the cooperative purchasing system with the cooperative pricing councils listed in Schedule "A", pursuant to all conditions of the prevailing individual cooperative purchasing agreements.

2. Any procurement through the arrangements approved herein that exceeds the prevailing bid threshold must be approved by resolution of the Township Council and accompanied by the required certification of funds.

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

- a. Mayor Daniel T. Rodrick
- b. Business Administrator
- c. Township Attorney
- d. Certified Financial Officer
- e. Qualified Purchasing Agent

- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Contract With Atlantic Salt Inc., For The Purchase Of "Deicing Salt", Which Expires August 1, 2024, For The Department Of Public Works, Utilizing The Ocean County Cooperative Pricing System Contract Bid #B2023-120, In The Estimated Amount Of \$156,000.00, Which Will Give The Department Of Public Works The Ability To Purchase On An As-Needed Basis

FEBRUARY 14, 2024

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 Bid #B2023-120, 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 Atlantic Salt Inc.;

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

1. It hereby awards a contract to Atlantic Salt Inc., 134 Middle Street, Suite 210, Lowell, MA 01852, for the purchase of "Deicing Salt" for the Department of Public Works, utilizing the Ocean County Cooperative Pricing System, Contract Bid #B2023-120, in the estimated amount of \$156,000.00.
2. This resolution will give the Department of Public Works the ability to purchase on an as-needed basis.
3. Funds for this contract in the estimated amount of \$156,000.00, are available in Account No. 4-01- -W60-509. 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 Bid #B2023-120.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Certified Financial Officer
 - c) Township Attorney
 - d) Department of Public Works
 - e) Atlantic Salt Inc.
134 Middle Street – Suite 210
Lowell, MA 01852

Council President Coleman opened item Q. for discussion.

Councilman Ciccozzi wanted to know where the estimate of 156,000 came from. Mayor Rodrick responded that it varies on previous consumption.

Motion: Approve

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes

Council Member Lobman - Yes
Council Vice-President O'Toole - Yes
Council President Coleman - Yes

- r. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey Supporting The New Jersey Department Of Transportation's Prohibition Of Left Turn Movements From The Driveway Of The Office Complex Proposed For Block 135, Lot 4 (117 Rt. 70)

February 14, 2024

WHEREAS, by letter dated December 27, 2023, the New Jersey Department of Transportation (NJDOT) stated its intent to approve an application to construct a 204,000 square foot office park on State Highway 70 westbound, located at Block 135, Lot 4 (117 Rt. 70), on certain terms and conditions; and

WHEREAS, as part of the conditions of approval, NJDOT has required a resolution of support from the Township Council supporting the legal prohibition of left turn movements at the proposed complex's proposed driveway on Route 70; and

WHEREAS, the State will legally enforce the prohibition through its Traffic Engineering Division:

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

1. The Township Council hereby supports NJDOT's legal prohibition of left turn movements at the proposed office complex to be located at Block 135, Lot 4 (117 Rt. 70).
2. A certified copy of this resolution shall remain on file in the Office of the Township Clerk and provided to the following parties:

- a. Mayor
- b. Business Administrator
- c. Township Engineer
- d. Kenneth Spiegle, Supervising Engineer 2
New Jersey Department of Transportation
- e. Scott T. Kennel McDonough & Rea Associates, Inc.
1431 Lakewood Road, Suite C
Manasquan, NJ 08736

- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Utilize State Contract T0109 For Maintenance Of Motorola Radio Communications Equipment For The Police Department Using Contract #83909, With Motorola Solutions, Inc., C/O Wireless Communications Electronics, Effective Retroactive To January 1, 2024 Through June 30, 2024, In The Total Contract Amount Not To Exceed \$22,447.00

FEBRUARY 14, 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. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. State Contract No. T0109, Vendor No. 83909, for the Maintenance of Motorola Radio Communications Equipment for the Police Department, from Motorola Solutions, Inc., c/o Wireless Communications Electronics, 153 Cooper Road, West Berlin, NJ, 08091, in the total contract amount not to exceed \$22,447.00, as follows:

State Contract #T0109
Vendor #83909

Motorola Solutions, Inc.
 c/o Wireless Communications Electronics
 153 Cooper Road
 West Berlin, NJ 08091

		Amt
Police Department	4-01- - P45-549	\$ 20,708.50
CSO/OEM	4-01- - P40-549	\$ 1,311.00
Animal Control	X-13- - 204-103	\$ 114.00
DPW	4-01- -W60-511	\$ 199.50
Senior	X-99- - 907-859	\$ 114.00
		\$ 22,447.00

3. Term of contract shall be retroactive to January 1, 2024 through June 30, 2024. This is a six (6) month contract to provide services until the Township radio project is completed.

4. Funds in the amount of \$22,447.00 are available as follows:

Contract with: Motorola Solutions, Inc.
 c/o Wireless Communications Electronics
 153 Cooper Road
 West Berlin, NJ 08091

State Contract No. T0109
 Vendor No. 83909

Account Numbers:

Police Department	4-01- -P45-549	\$ 20,708.50
CSO/OEM	4-01- -P40-549	\$ 1,311.00
Animal Control	X-13- -204-103	\$ 114.00
DPW	4-01- -W60-511	\$ 199.50
Senior	X-99- -907-859	\$ <u>114.00</u>

Total: \$ 22,447.00

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Motorola Solutions, Inc.
c/o Wireless Communications Electronics
153 Cooper Road
West Berlin, NJ 08091

t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Renewal of Massage Business Licenses

February 14, 2024

WHEREAS, the following application for

Massage business licenses have been made under the

Provisions of Ordinance numbers 1606 and 1682:

MESSAGE BUSINESS

- 01-24 Sunny Days Massage
1594 Route 9 Unit 8
Toms River, NJ 08753**
- 02-24 Star Acupressure Center
751 Route 37 West #2
Toms River, NJ 08753**
- 03-24 Asian Therapy
1201 Hooper Ave Unit 1060
Toms River, NJ 08753**
- 04-24 Oasis Bodywork & Spa
1808 Route 37 East Ste #8
Toms River, NJ 08753**
- 06-24 213 Healing Inc.
213 Route 37 E.**

Toms River, NJ 08753

WHEAREAS, said applicants have complied with all the requirements of Ordinance numbers 1606 and 1682, Chapter 357, of the “Code of the Township of Toms River, New Jersey,” with respect to licensing; and

WHEREAS, the appropriate licensing fee has been paid To the Township of Toms River;

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. The Township Clerk is hereby authorized to issue the licenses Listed in the preamble hereof.**
 - 2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:**
 - a. Attorney**
 - b. Chief of Police**
 - c. Code Enforcement**
 - d. Applicants listed above**
- u. RESOLUTION Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Accepting A Grant From, And Authorizing A Grant Agreement With, The County Of Ocean For Senior Services, Congregate Nutrition And Caregivers Grant For Calendar Year 2024**

FEBRUARY 14, 2024

WHEREAS, on December 19, 2023, the Toms River Township Council authorized acceptance of a grant agreement with the County of Ocean for a Senior Services, Caregivers and Congregate Nutrition Grant, in the amount of \$165,000.00 for Calendar Year 2024; and

WHEREAS, the amount of the grant is hereby revised from \$165,000.00 to \$120,000.00;

WHEREAS, this grant will be administered by the Toms River Senior Center:

NOW, THEREFORE, BE IT RESOLVED by the Township Council, Township of

Toms River, Ocean County, New Jersey, as follows:

1. It hereby authorizes an amendment to Resolution "Y" dated December 19, 2023 to revise the acceptance of a grant agreement with the County of Ocean for a Senior Services, Caregivers and Congregate Nutrition Grant, from the amount of \$165,000.00 to \$120,000.00 for the period of January 1, 2024 through December 31, 2024, and authorizes the Mayor to execute and the Township Clerk to attest to the grant agreement attached hereto as Schedule A.

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

- a. Mayor
- b. Business Administrator
- c. Certified Financial Officer
- d. Township Attorney
- e. Director of Human Services
- f. Ocean County Director of Human Services
Attn: Maria LaFace
PO Box 2191
Toms River, NJ 08754

- v. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing The Township Insurance Fund Representative

FEBRUARY 14, 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

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

1. That Grace Piscopo be and he is hereby appointed as the Township Insurance Representative pursuant to Chapter 44 of the "Code of the Township of Toms River, New Jersey" for a term of one year retroactive to January 1, 2024 and terminating December 31, 2024.

1. The Township Clerk shall send a certified copy of this resolution to each of the following:
 - a. Township Attorney
 - b. Chief Finance Officer
 - c. Township Council

- d. PERMA/Ocean County Municipal
Joint Insurance Fund
9 Campus Drive, Suite 216
Parsippany, NJ 07054
- e. Steven A. Zabarsky, Esq.
248 Washington Street, Box 4
Toms River, NJ 08754
- f. Grace Piscopo

Council President Coleman opened item V. for discussion.

Councilman Quinlisk asked Council President Coleman, "Who was appointed to this position, and how much is the pay?"
Council President Coleman responded that he honestly does not know.

Motion: Approve

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- w. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Awarding A Contract To Foundation Risk Partners, Corp. D/B/A Fairview Insurance Agency Associates For Employee Benefits Consultancy And Brokerage Services For Medical, Prescription, Dental, And Vision Coverage

FEBRUARY 14, 2024

WHEREAS, the Township of Toms River solicited proposals for Employee Benefits Consultancy and Brokerage Services for Medical, Prescription, Dental, and Vision Coverage, in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A 19:44A-20.4 et. Seq.; and;

WHEREAS, Horizon Blue Cross/Blue Shield pays for these services for the Township; and

WHEREAS, the following firms submitted a conforming proposal, which were open and read on November 9, 2023:

1. Alamo Insurance Group, Inc., 55 Flanagan Way, Secaucus, NJ 07094
2. Conner, Strong & Buckelew Companies, LLC, TRIAD 1828 Centre, 2 Cooper Street, PO Box 99106, Camden, NJ 08101
3. Foundation Risk Partners, Corp. d/b/a Fairview Insurance Agency Associates, 25 Fairview Avenue, Verona, NJ 07094
4. Risk Strategies, 160 Federal Street, Boston, MA 02110

WHEREAS, Alamo Insurance Group specializes in comprehensive health benefits programs and risk management/loss control services for non-profit organizations, governmental, private and public sector clients. The firm represents employer groups with a total enrollment in excess of 250,000 covered individuals; and

WHEREAS, Connor Strong & Buckelew Companies, LLC, has extensive experience in this field and represents the County of Ocean, the Ocean County Board of Social Services, Brick Twp., and previously had represented the Township of Toms River; and

WHEREAS, Foundation Risk Partners Corp. d/b/a Fairview Insurance Agency Associates is a full-service independent insurance agency working on behalf of individuals, companies, and public entities. They provide customized insurance plans, employee benefits, risk management and insurance consulting services; and

WHEREAS, Risk Strategies has a long history of working with the public sector. Their public entities practice currently represents more than 150 clients ranging from towns, municipalities, transit authorities, tolling agencies, etc. Risk Strategies was founded as a consulting firm in 1997 to provide risk management advice to commercial clients. The foundation of the company is centered on client-focused consultative approach, industry practice specialization, and deep insurance and employee benefits specialization and technical expertise;

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 Mayor is authorized to execute and the Municipal Clerk to attest to an agreement with Foundation Risk Partners Corp. d/b/a Fairview Insurance Agency Associates for Employee Benefits Consultancy and Brokerage Services for Medical/Prescription/Dental/Vision coverage, commencing February 1, 2024 up to and including December 31, 2024, subject to the execution of a contract, availability of funds, and adoption of the CY24 budget.
2. A notice of this contract award shall be published once within 10 days of the date of

this Resolution, in the Asbury Park Press.

3. 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) Certified Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Purchasing Division
- f) Alamo Insurance Group, Inc.
55 Flanagan Way
Secaucus, NJ 07094
- g) Conner, Strong & Buckelew Companies, LLC
TRIAD 1828 Centre, 2 Cooper Street
PO Box 99106
Camden, NJ 08101
- h) Foundation Risk Partners, Corp.
d/b/a Fairview Insurance Agency Associates
Fairview Avenue
Verona, NJ 07044
- i) Risk Strategies
160 Federal Street,
Boston, MA 02110

Council President Coleman opened item W. for discussion.

Councilman Quinlisk stated we had a resolution last month for them to just look into different insurance for the town to save money at no cost, and now we are rushing into a contract with them. He is confused on why there is already a contract. Mayor Rodrick stated that this is a contract to shop for better insurance. Councilman Quinlisk said that his question was not answered.

Motion: Approve

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Abstained
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of John J. Novak, Esq., Matthew Sage, Esq. And Robert C. Shea II, Esq. As Part-Time Municipal Public Defenders For The Township Of Toms River Commencing From Date Of Award Through December 31, 2024, In The Total Estimated Amount Of \$30,000.00 Per Firm, For Calendar Year 2024

FEBRUARY 14, 2024

WHEREAS, the Township of Toms River is in need of Part-Time Municipal Public Defender Services for Calendar Year 2024; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to appoint John J. Novak, Esq. of the Law Offices of John J. Novak, PC, Matthew Sage, Esq. of the Law Offices of Matthew Sage, LLC, and Robert C. Shea II, Esq., of R.C. Shea & Associates, as Part-Time Municipal Public Defenders on behalf of the Township of Toms River for calendar year 2024; 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 appoints John J. Novak, Esq., of the Law Offices of John J. Novak, P.C., 3 Franklin Avenue, Toms River, NJ, 08753, Matthew Sage, Esq. of the Law Offices of Matthew Sage, LLC, 625 Route 9, Beachwood, NJ, 08722, and Robert C. Shea, II, Esq. of R.C. Shea & Associates, 244 Main Street, Toms River, NJ, 08754, as Part-Time Municipal Public Defenders for Calendar Year 2024 for the Township of Toms River commencing from date of award through December 31, 2024. Each court session shall utilize two (2) of the three (3) awarded firms. Schedules will be made by the Township Court Administrator, Keturah Coronato. Each firm shall receive an estimated amount of \$30,000.00 annually. Bills shall be submitted on a monthly basis to the Court Administrator. The cost per session will be \$30,000.00 divided by the number of sessions, per firm. Funds in the amount of \$47,000.00 are available in Account No. 4-01-A04-205, and funds in the amount of \$43,000.00 are available in Account No. X-19-600-034.

2. This appointment is subject to John J. Novak, Esq., Matthew Sage, Esq. and Robert C. Shea, II, Esq., executing a contract, attached hereto as Schedule "A" and approved herein.

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

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Certified Financial Officer
- d) Township Attorney
- e) John J. Novak, Esq.
3 Franklin Avenue
Toms River, NJ 08753
- f) Matthew Sage, Esq.
625 Route 9
Beachwood, NJ 08722
- g) Robert C. Shea, II, Esq.

R.C. Shea & Associates
244 Main Street
Toms River, NJ 08754

Councilman Quinlisk asked if this went out for bid.
Mayor Rodick stated of course they did and they all got in.

Motion: Approve
Motion Made By: George Lobman
Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- y. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Fair And Open Professional Legal Service Contract With Louis N. Rainone, Esq., Of The Law Firm Of Rainone, Coughlin, Minchello, Llc, To Advise, Consult, And Represent The Township Of Toms River With Regard To The Local Redevelopment And Housing Law, For A Total Maximum Contract Amount Not To Exceed \$70,000.00 For Cy 2024, And Authorizing The Mayor To Execute And The Township Clerk To Attest To Any And All Documents, Including Any Retainer Agreements, Associated With The Contract Approved Hereunder

FEBRUARY 14, 2024

WHEREAS, the Township of Toms River has a need to obtain professional legal services to advise, consult, and represent the Township of Toms River with regard to the Local Redevelopment and Housing Law; and

WHEREAS, a proposal was received from the law firm of Rainone, Coughlin, Minchello LLC and opened on November 9, 2023; and

WHEREAS, the law firm of Rainone, Coughlin, Minchello LLC, has the needed experience and expertise to represent the Township of Toms River in redevelopment matters; and

WHEREAS, the Law firm of Rainone, Coughlin, Minchello LLC, has represented many townships, private developers, and public entities in redevelopment matters; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township of Toms River to retain the law firm of Rainone, Coughlin, Minchello LLC, in these matters, at the rate of \$195.00 per hour for partners, for a total maximum amount

not to exceed \$70,000.00 for the entire calendar year of 2024, subject to the execution of a contract, the availability of funds, and the adoption of the CY24 budget;

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

1. It hereby awards a professional services contract to Rainone, Coughlin, Minchello LLC, to serve as Redevelopment Legal Counsel, to advise, consult and represent the Township of Toms River with regard to the Local Redevelopment and Housing Law, at the rate of \$195.00 per hour for partners, for a total contract amount not to exceed \$70,000.00 for the entire calendar year of 2024, and funds are available in Account No. 4-01- -L21-534. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. This contract will be effective commencing February 15, 2024 up to and including December 31, 2024.

3. The Mayor is hereby authorized to execute and the Township Clerk to attest to any and all documents, including any retainer agreements, associated with the contract approved hereunder.

4. A notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.

5. 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) Certified Financial Officer
- d) Business Administrator
- e) Township Attorney
- f) Township Planner
- g) Louis N. Rainone, Esq.
Rainone, Coughlin, Minchello LLC
555 U.S. Highway One South
Suite 440
Iselin, NJ 08830-3100

Councilman Quinlisk asked what is the purpose of this attorney and their end goal. Mayor Rodrick stated they will represent the Town against the redevelopment project.

Motion: Approve

Motion Made By: Thomas Nivison

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- z. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Appointment Of Jonathan Salonis As Business Administrator

FEBRUARY 14, 2024

WHEREAS, the Mayor has nominated Jonathan Salonis as Business Administrator; and

WHEREAS, pursuant to N.J.S.A. 40:69A-43(b); N.J.S.A. 40:69A-44; and §40-1 of the Township Code, the appointment of the Business Administrator requires the advice and consent of the Township Council; and

WHEREAS, the Township Council has determined that, by virtue of his education and experience, Mr. Salonis would effectively discharge the duties of Business Administrator:

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

1. Pursuant to N.J.S.A. 40:69A-43(b); N.J.S.A. 40:69A-44; and §40-1 of the Township Code, the Township Council consents to the appointment of Jonathan Salonis as Business Administrator, at an annual salary within the range established under the prevailing salary ordinance.
2. Additionally, pursuant to N.J.S.A. 40:69A-44 and §40-1 of the Township Code, Mr. Salonis may reside outside the Township of Toms River during his tenure as Business Administrator.
3. Mr. Salonis' appointment is retroactive to February 1, 2024.
4. The Memorandum of Understanding attached hereto as Schedule "A", memorializing the terms and conditions of Mr. Salonis' appointment as Business Administrator is hereby approved.

5. A certified copy of this resolution shall be remain on file in the Office of the Township Clerk and provided to the following parties:
 - a) Mayor Daniel T. Rodrick
 - b) Township Council
 - c) Chief Financial Officer
 - d) Human Resources
 - e) Payroll Division
 - f) All Department Heads
 - g) Township Attorney
 - h) Jonathan Salonis

Councilman Quinlisk asked if Mr Salonis is qualified to be the Business Administrator, and if he has the proper training.

Jon Salonis stated he worked in government services for 9 years, he has his masters degree and has a Registered Municipal Clerk Certificate.

Motion: Approve
Motion Made By: Lynn O'Toole
Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Abstained
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- aa. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Purchasing Division To Advertise And Receive Sealed Proposals For The Provision Of Animal Control Services, Using A Competitive Contracting Process Pursuant To N.J.S.A. 40A:11-4.3(A)

FEBRUARY 14, 2024

WHEREAS, N.J.S.A. 40A:11-4.1(r) permits the use of a competitive contracting procedure to procure the Provision of Animal Control Services; and

WHEREAS, the Purchase Division is requesting authorization to use competitive contracting for that purpose; and

WHEREAS, N.J.S.A. 40A:11-4.3(a) requires an authorizing resolution to initiate the competitive contracting 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 Purchasing Division is hereby authorized to advertise and receive sealed proposals for the Provision of Animal Control Services, using a competitive contracting process, pursuant to N.J.S.A. 40A:11-4.3(a) and N.J.S.A. 40A:11-4.1(r).

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) Township Clerk
- d) Purchasing Division
- e) Certified Financial Officer
- f) Township Attorney
- g) Public Works

Motion: Approve
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi - Abstained
Council Member Lamb - Yes
Council Member Nivison - Yes
Council Member Quinlisk - Yes
Council Member Lobman - Yes
Council Vice-President O'Toole - Yes
Council President Coleman - Yes

Reports

17.	Building Department	2023	2022
	Building Permits - December	\$186,381.00	\$286,814.00
	Building Permits - YTD through December	\$3,505,617.00	\$3,772,693.00
	Recreation Department	2023	2022
	Bey Lea Golf Course- December	\$71,940.48	\$60,779.47
	Bey Lea Golf Course- YTD through December	\$2,122,619.68	\$1,801,676.69
	Winding River Ice Rink- December	\$187,106.00	\$150,972.97
	Winding River Ice Rink- YTD through December	\$1,280,747.52	\$1,122,217.90

Motion: Approve Township Reports

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi - Yes
Council Member Lamb - Yes
Council Member Nivison - Yes
Council Member Quinlisk - Yes
Council Member Lobman - Yes
Council Vice-President O'Toole - Yes
Council President Coleman - Yes

Approval of Bills

Township Clerk asked for the Approval of the Bills.

The Bill List dated February 8, 2024, was approved.

Motion: Approve The Bill List

Motion Made By: George Lobman

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member **Ciccozzi** - None

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

Purchase Order 23-00754 & 23-00755, payable to Citta, Holzapfel, and Zabarsky, in the amount of \$8,750.00.

Purchase Order 24-00032, payable to Dasti, McGuckin Attys at Law, in the amount of \$21,543.50.

Purchase Order 24-00719, payable to TR Payroll, Magistrate Salaries, in the amount of \$6,619.23.

Council Member **Nivison** - None

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

Purchase Order 20-00569, 23-04550, 24-00011, 24-00080, 24-00170, 24-00465, 24-00743, 24-00782 payable to Remington & Vernick Engineers, in the amount of \$56,724.37.

Council Member **Lobman** - None

Council Vice-President O'Toole - None

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

Purchase Order 23-03776, payable to Preferred Behavioral Health, in the amount of \$4,992.12.

Elected Official's Comments

Councilman Lamb wished everyone a happy Valentine's Day. He stated his ward has been

crying out for an ambulance, and now this year they will receive one.

Councilman Quinlisk feels this special is illegal and not up to code. He states there are funds for the EMTs, and there is no need to cut the police department. He said that everyone should have looked into the potential liability for cutting police officers before passing such an ordinance.

Council Vice-President O'Toole - No comment

Councilman Nivison thanked Mayor Rodrick for all his hard work and doing what is right for the town. He stated that Mayor Rodrick does not tell him how to vote.

Councilman Lobman stated he had never seen such discourse. He felt the Zoom meeting was absurd. Lobman says he has tried to work things out with Council members Ciccozzi and Quinlisk, but they can't seem to see eye to eye. He would like the meetings to go smoother and not make things personal.

Council President Coleman said he took this position because he has no ties to anyone, and he is doing what he believes is best for this town.

Councilman Ciccozzi states his family has been here for years and is passionate about Toms River Township. He talked about the township employees moral being low, and how he believes the Mayor is making too many cuts. Councilman Ciccozzi wished everyone a happy Valentine's Day.

Mayor Rodrick spoke about surplus, and if the town keeps taking from the surplus it will affect the townships bond rating.

Public Comments

Carlos Amizar, Winteringham Apartments, asked the council to please sit down and work on what the town needs. He would like to meet with the Mayor, and talk about allowing the sale of cannabis to help the township revenue.

Julie Adamek, 69 Cedar Grove Rd., Julie Adamek, 69 Cedar Grove Rd., Julie Adamek, 69 Cedar Grove Rd feels like the township meetings are a total circus. She asked that the council please represent the residents and consider what they want before casting their vote. Julie said shes against the bashing of prior administration, and feels it's not helpful. She asked that they respect each other, and that council should abstain from ordinances if there is a conflict of interest.

Phil Brilliant asked the council for more transparency. He said there should be no zoom meetings, covid is over. Phil stated that Council meetings should be easy for the public to attend. He sent a letter to the council and Mayor because he was so offended by the last zoom meeting. He asked for the Mayor and Council president to resign.

Bill Morsh, 196 Cranberry Rd, is a retired captain. He asked if email is the best way to contact the council. He is putting it on record that he has a petition going to referendum the Police Department

ordinance that was passed tonight.

Janet Laing, 37 Cedat Dr., asked what happened to the public comments before the zoom that was submitted to the Municipal Clerk?

Municipal Clerk did put those comments on the minutes for meeting held on Jan. 31, 2024. The minutes were approved tonight so not made available to the public yet.

Janet feels that those voices weren't heard before the vote was made, and that it was not done in good faith.

Tom Russell, member of JSARS club, asked if there club could start meeting at the riverwood park building again.

George Eisenhower, a member of JSARS club. He said for 30 years they have used the riverwood building for meetings, and would like to start using that or another township building again for meetings.

Dana Tormollan, Messenger St., read an email she sent to all council members. She is concerned that they are not abiding by Roberts Law, and stated that the meetings should be run by the Council not the Mayor.

John Row, 17 Cedar Creek Lane, wanted to see who he can speak with about getting a stop sign on holly creek in Toms River. Councilman Lamb said he would speak to him after the meeting.

Thomas, 309 hyers St, feels there is too many police officers in Toms River township, and doesn't feel schools need a police officer.

Bob Tormollan, Messenger St., asked the council how they can vote for what they think is correct but then admit they don't have the information they are voting on.

Executive Session

18. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing An Executive Session To Discuss Confidential Matters Covered Under N.J.S.A. 10:4-12B Including Executive Session Minutes Review And Personnel Matters

February 14, 2024

WHEREAS, the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 to -21, permits public bodies to enter into executive or closed session to discuss confidential matters enumerated in N.J.S.A. 10:4-12b; and

WHEREAS, the Township Council intends to discuss the following matters, which are excluded from public discussion pursuant to N.J.S.A. 10:4-12b:

- Executive Session minutes review
- Personnel Matters

NOW, THEREFORE, BE IT RESOLVED by the Township Council, Township of Toms

River, Ocean County, New Jersey, as follows:

1. Pursuant to N.J.S.A. 10:4-12b, The Township Council will convene in executive session to discuss the following matters:

- Review of minutes from the December 5, 2023, Executive Session
- Personnel Matters

2. Pursuant to N.J.S.A. 10:4-13, minutes of this executive session will be kept and may be disclosed to the public once the need for confidentiality no longer exists.

3. A certified copy of this resolution shall be kept on file in the Office of the Township Clerk.

Motion: Approve Going into Executive Session at 5:54 PM

Motion Made By: Thomas Nivison

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Go Back Into Public Session at 6:20 PM

Motion Made By: Lynn O'Toole

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Motion: Approve Executive Session Minutes from December 5, 2023

Motion Made By: David Ciccozzi

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
-------------------------	-------

Council Member Lamb	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Member Lobman	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

No other business appearing, the meeting was **adjourned** at 6:22 PM on motion with Council Member Nivison, seconded by Council Member Lobman, and carried with Council Members, Ciccozzi, Lamb, O'Toole Quinlisk and Council President Coleman voting yes.

EXHIBIT E

'Why not let them do it?' Toms River mayor wants county to take over animal shelter

Gannett

JEAN MIKLE, ASBURY PARK PRESS

February 28, 2024 at 11:36 AM

TOMS RIVER - Ocean County could do a better job taking care of the township's homeless animals, Mayor Daniel Rodrick said, contending that conditions in Toms River's animal shelter were poor when his administration took charge in January.

"It's a politically emotional topic," the mayor said. "But if the county does a great job already, why not let them do it?"

The mayor said he believes the county is better at finding homes for stray dogs, cats and other companion animals than the township has been.

Rodrick will face pushback on plans to have the county take over Toms River's shelter operations: a demonstration supporting the animal shelter is scheduled for 5:30 to 6:45 p.m. outside town hall, 33 Washington St., before Wednesday night's 7 p.m. township council meeting.



Winter is a puppy available for adoption at the Toms River Animal Shelter.

Some advocates have expressed concern that more animals could be euthanized if they are sent to the county, and have also argued that shelter employees do a good job.

"This animal shelter has had its hands tied behind its back because it has not had enough staff," Toms River resident Julie Adamek said earlier this month. "The staff members there really are animal advocates and really love the animals."

Rodrnick said he was frustrated that the animal shelter employees would not agree to change their hours so that the building could stay open until 7 p.m. "a couple of nights a week," to facilitate adoptions.

"This is not about money," the mayor insisted. "This is about what's best for the animals."

He again noted that the township received a \$1 million bequest from an animal lover, which is enough to run the shelter "for two years." That money would presumably go to the county should it agree to take all of Toms River's homeless animals.

Toms River news: Township CFO, engineering chief resign; mayor says predecessor is out to hurt him

Ocean County Commissioner Gary Quinn said that preliminary discussions were held between lawyers representing the county and the township after Rodrick reached out to the county about the animal shelter "six to eight weeks ago." No agreement has been reached with the township about the shelter, Quinn said, although the health department has "expressed interest."

"If we did take it over, we would do everything in our power to make sure the people that work there get something at the county," Quinn said. "It is difficult to find experienced people for those types of jobs."

Ocean County's two animal shelters, located in Jackson and Stafford, are

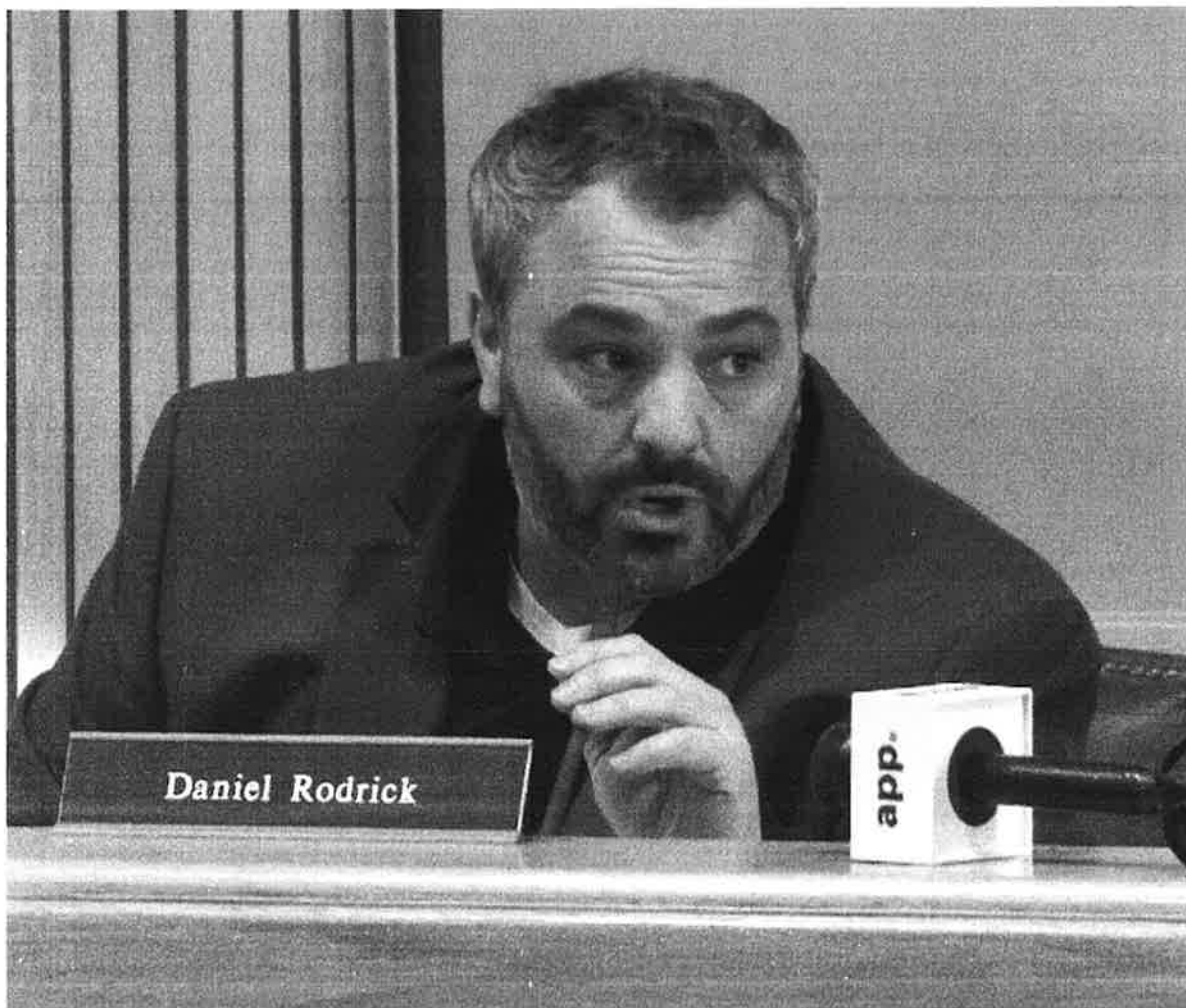
operated by the Board of Health.

As for Toms River's shelter, Quinn said that "the board of health would never consider taking ownership of that building." He noted that the building "belongs to the taxpayers of Toms River," and that if the board decided to use the facility, it would likely enter into a \$1-a-year lease with the township.

That way, Toms River could reclaim the facility should circumstances change in the future, Quinn said.

Ocean County Public Health Coordinator Dan Regenye said the county's two shelters have a robust social media presence and a strong volunteer force and foster program to assist employees in helping to get strays adopted.

Helping animals: Seal recovering at Marine Mammal Stranding Center after being found at Lavallette beach



Toms River Mayor Dan Rodrick speaks during the Council meeting Wednesday, February 14, 2024, about the ordinance which cuts two captains' jobs and one patrol officer. The mayor said he has already eliminated the need for the council to vote on the ordinance by already making the changes in the department.

In 2022, Ocean County's two shelters took in 954 dogs and 1755 cats, according to the most state records. Owners picked up 422 of those dogs, and 113 cats; 265 dogs and 960 cats were adopted, and 54 dogs and 422 cats were euthanized.

Toms River's animal shelter did not report its 2022 numbers to the state; the reports are voluntary. But in 2021, Toms River's animal shelter took in 250 dogs and 201 cats. Owners picked up 144 dogs and 7 cats; 38 dogs and 89 cats were adopted, along with four other types of animals. Eighteen dogs, 51 cats and 55 other animals were euthanized.

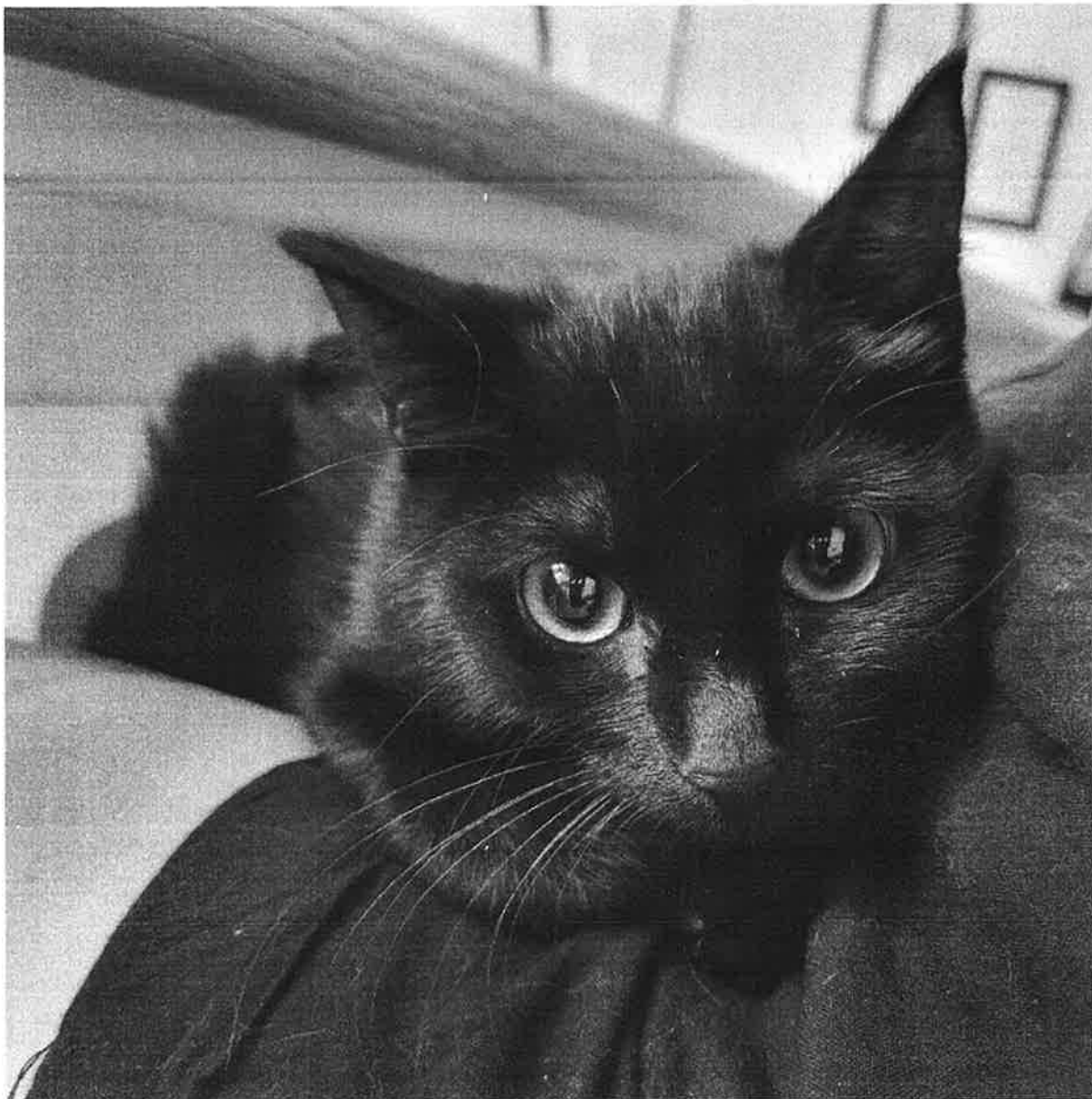
Rodrick's administration is also seeking proposals for animal control services.

The mayor said if the township privatizes animal control, it will eliminate the jobs of "five to six" township employees; shelter employees could be let go as well.

Toms River is one of four municipalities in the state that has its own municipal shelter. The animal shelter, located on Oak Avenue next to the police department, was moved from its former location on Whitesville Road in 2014, when the township constructed a new building to house stray animals.

The nearly 8,000-square-foot animal shelter can house up to 60 cats and 30 dogs. The old building only had 10 kennels for dogs.

'The price of freedom is high': How Ukrainians in New Jersey cope with year two of the war



Raegan is a young cat available for adoption at the Toms River Animal Shelter.

Rodrick said the shelter was full when he took over as mayor, and contends when he visited the shelter shortly after taking office, he found "animals laying in their excrement and it was dirty." Since then, he said, new township employee Drew Chabot has worked to increase adoptions and make connections between the shelter and other rescue organizations.

The council also agreed to eliminate adoption fees at the shelter; previously, it cost \$150 for dogs and \$75 for cats. Fees were \$100 for dogs 7 years and older and \$50 for cats that were 7 years or older.

Animal advocates said they feared the lack of fees could attract animal abusers, but Councilman Thomas Nivison, who has three rescued cats and four rescued goats, said the shelter was still screening potential adopters.

On Tuesday, Rodrick said there were seven dogs and two cats up adoption at the shelter; Toms River has been turning away animals recently, sending six to county shelters, he said and accepting one puppy. The township has an agreement with the county to accept stray animals if needed, and pays a fee for each cat or dog it turns over to county shelters.

He said while Chabot has helped reduce the number of animals at the shelter, he is needed to work in the Recreation Department and cannot stay at the shelter indefinitely. The mayor said he is "not confident" that other shelter employees could continue the shelter's recent success in getting animals adopted.

To see adoptable pets at the Toms River Shelter, go to its Petfinder page.

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

This article originally appeared on Asbury Park Press: Toms River mayor wants Ocean County to take over animal shelter

Advertisement

app.

ANIMALS

'He's really crossed that line': Toms River Animal Shelter workers bark back at mayor

Six-minute read



Jean Mikle

Asbury Park Press

Published 5:29 a.m. ET March 1, 2024 | Updated 5:29 a.m. ET March 1, 2024

TOMS RIVER - Patty Claus said Mayor Daniel Rodrick's description of the Toms River Animal Shelter bares no resemblance to the clean, modern building where caring employees work diligently to find homes for stray cats, dogs and other animals.

Claus, an animal control officer for the township who has worked at the shelter for more than a year, said she decided to speak out because she was angry about Rodrick's claims that conditions at the facility were poor when he took office Jan. 1.

"He's really crossed that line in saying we don't take good care of the animals," said Claus, of West Creek in Eagleswood. Referring to a claim by Rodrick, she said, "I'm not going to sit here and let animals sit in their feces."

She said the mayor, who was first elected to the council in 2017, had never been at the animal shelter before he took office. Rodrick has said he was an "outsider" on the council, which is why he did not stop by.

What did your district get? Governor Murphy's state budget addresses public school funding around Jersey Shore

On Thursday, the animal shelter was clean, brightly lit and almost empty. Toms River has not been taking in strays in recent weeks; except for a bouncy white pit bull puppy named Winter. Instead, animals have been sent to Ocean County. There were eight adoptable dogs and three cats in the shelter; almost all the cat cages were empty.

"We have been understaffed," Claus said. There are four animal control officers on staff, who work at the shelter and also pick up stray animals, including cats, dogs, rabbits, reptiles and injured or diseased wildlife. The shelter also has three part-time kennel aides, one full-time clerk and one part-time clerk.

One of those kennel aides, Toms River resident Michael Cohen, told Rodrick and the township council Wednesday that he has worked part-time, at minimum wage, caring for cats in the shelter since 2021. He challenged Rodrick's contention that the county euthanizes fewer animals than the Toms River shelter.

Toms River news: Township CFO, engineering chief resign; mayor says predecessor is out to hurt him

In 2023, the Toms River shelter took in 217 cats and 238 dogs. Of those animals, 28 were euthanized, Cohen said. Ocean County's two animal facilities took in 1,044 cats and 528 dogs; 318 cats and 18 dogs were euthanized.

"The Ocean County animal shelter only takes cats and dogs," Cohen said. "We take in other wildlife. Today, we took in a snake."

Jersey Shore's brainiest towns: College degrees rule in these 15 locations

\$1 million gift

Rodrick said it was unfair to compare the Toms River shelter with the Ocean County facilities as many of the euthanizations at the county were likely feral cats collected from various Ocean County towns. Those felines are usually considered unadoptable.

"They take in feral cats from all over the county," he said.

He again insisted that he has no plans to close the animal shelter, and that the county could continue to operate the building if Toms River should choose to let them take over. "I really want to make sure whoever is running the facility is doing a great job," the mayor said.

A \$1 million bequest from a Toms River shelter supporter means the township has enough money to run the facility for two years, the mayor said. That money would likely go to the county if they took over Toms River's shelter operations.

That led resident Dennis Galante, who visited the shelter this week, to wonder why the township would not continue operating it.

"The problems of the past have all been solved," Galante said. He urged the mayor and council to keep the shelter in township hands.

School fight! Toms River, Central Regional battle over who gets Seaside Heights

Rodrnick has said that when he first visited the shelter last month, he found the building locked and at capacity. He has claimed that at least one dog was in the facility for four years, a claim rebutted by Claus, who said no canine has been in the shelter for that long.

Claus said she was the one who let the mayor into the shelter when he visited, noting that the door was locked as she was the only employee there and was in the kennels taking care of dogs. She said the shelter was by appointment only as animal control officers were often on the road and might be called to pick up a stray, leaving the shelter unstaffed.

Rodrnick has expressed frustration that the union employees who work at the shelter would not agree to his proposal that they work later hours to allow for easier adoptions. Claus said a new proposed schedule, to stay open until 7 p.m., was sent to the mayor and Human Services Director Laura Picurro on Jan. 26, but there has not been a response.

"I haven't received anything from them," Rodrick said.

"He doesn't want to pay us overtime," Claus said. "Animal control is 24 hours a day. We have to be here (the shelter) in the mornings to take care of the animals."

Toms River news: Mayor, fighting 'overdevelopment,' hires powerbroker lawyer for housing fights

The mayor said it was not until his administration took over that dozens of dogs and cats were adopted, nearly clearing out the shelter. The newly elected council agreed to eliminate adoption fees and photos of adoptable animals were posted frequently on Toms River's social media sites.

Rodrnick said Wednesday that another dog had been in the shelter for so long that he had chewed a hole in the wall. Claus said that dog had only been in the facility for several days and had chewed into the wall because he was stressed. The dog was eventually euthanized as it was considered unadoptable, she said.

'We're angry that we don't have the help'

Claus, who has worked in animal rescue for a dozen years, said she had spent weeks helping to socialize dogs like Kahlua, a bully breed dog who was at the shelter for 18 months. Claus, who runs the nonprofit "The Pittie Project," said she spent time working with Kahlua and also noted a volunteer helps work with the shelter's dogs. Kahlua has since been adopted and is happy in her new home, she said.

She objected to comments by the mayor that dogs were not being socialized at the shelter.

'Show the world what you can do': Toms River woman with autism takes home pageant crown

"We're angry that we don't have the help," Claus said. The township has not properly supported the shelter, she said. There is not even a sign on Oak Avenue to direct visitors to the building, which is located next to the police station but not easily visible from the roadway.

Claus noted that some of the dogs at the shelter are there because of police seizures, court cases and hospitalizations, and must remain until those issues are resolved. The shelter's population shifts throughout the year, though it was crowded in January, it had few animals in December, she said.

Before Wednesday's council meeting, a group of animal advocates picketed in front of town hall on Washington Street. They held signs that read, "The Mayor lied, animals will die," and "Save Toms River Animal Shelter," with pictures of dogs and cats.

Rodrnick went out to speak to them, and a confrontation ensued. "You can see my concern. You've got all of these dogs that were in there for years, in some cases," the mayor said.

"Not true!" several people yelled back.

Toms River news: 'Circus' at council meeting cutting police jobs as speakers get booted

Rodrnick told the advocates that politics was involved in the outcry about the shelter, saying that those who do not like or support him have been using social media to prey on the emotions of those who love animals.

"Part of it is very much political," Rodrick told the crowd.

The crowd did not appear convinced. Several suggested that the mayor consider putting together a committee to discuss how to make the shelter work better, noting there were many volunteer groups who would be willing to help out.

'Soul on fire': Toms River couple expand chiropractic practice with holistic healing

"I want to keep Toms River's animals in Toms River," said Debbie Curci, who attended the protest and the council meeting. "If they go to Ocean County, more animals are going to be killed....He should work with the staff; they love animals."

During the meeting, the mayor again said that false rumors are being spread in town.

"The rumor that the shelter is closing is just that, a rumor," he said. "There are some very, very talented political people who have been promoting this rumor."

Toms River resident Amy Wurst, who has volunteered at the animal shelter for nine years, said, "maybe you should start to build on some of the successes that we've had."

"Don't make any huge changes to that shelter right now," Wurst said. "The animal control officers are amazing...Please stop portraying them as uncooperative and uncaring."

To see adoptable pets at the Toms River Shelter, go to its Petfinder page.

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, February 28, 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:** February 14, 2024 Special Meeting

6. **Honoring Resolutions and Presentations:**

- a. Eagle Scouts Brennan Adams and Michael Piscopo from Troop 520

Ordinances- 1st Readings

7. **ORDINANCE** To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank
(N.J.S.A. 40A: 4-45.14)

Resolutions

8. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Non-Fair And Open Professional Service Contract With Bowman & Company Llp For Financial And Budgeting Consultant Services, In A

Total Contract Amount Not To Exceed \$25,000.00

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.

9. 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 2 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 issuance of licenses to taxi companies
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey authorizing the issuance of licenses to taxi drivers
 - e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Renewal of Massage Business Licenses
 - f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The First One (1) Year Optional Extension Of The Existing Contract For Njsacop Accreditation Services With Lexipol Llc, In The Total Contract Amount Not To Exceed \$11,900.00, Commencing March 22, 2024 Through March 21, 2025
 - g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Requesting Authorization To Reject All Bids Received For The Bey Lea Clubhouse Façade Improvements (Const-2023-001) Pursuant To N.J.S.A. 40A:11-13.2(B) Due To Exceeding Budgetary Estimates
 - h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Toms River Police Department To Participate In The Defense Logistics Agency, Law Enforcement Support Office, 1033 Program To Enable The Toms River Police Department To Request And Acquire Excess Department Of Defense Equipment
 - i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of An Initial Contract For Approximately Three Thousand (3,000) Combined 95 And 64 Gallon Sanitation Collection System Automated/Semi-Automated (Robo) Containers And Parts Discount For The Department Of Public Works, To LPL North America Inc. In The Total Initial Contract Amount Not To Exceed \$166,615.00
(The Township Shall Have The Ability To Order A Combined Total Of Ten Thousand (10,000) Containers Throughout The Contract Period)

- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Rejecting The Bid Received From Brave Industrial Paint Llc, For Parking Garage Repair Plans For The Township Parking Garage, As It Substantially Exceeds The Cost Estimates For This Service, And Authorizes The Appropriate Township Officials To Approve The Rebid For This Purchase
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Second And Final One (1) Year Open-Ended Contract Extension For The Supply Of Toro (Oem) Repair Parts And Accessories With Turf Equipment And Supply Inc., Commencing March 7, 2024 Through March 6, 2025
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The First One (1) Year Optional Extension Of The Existing Contract For Golf Supplies With Grass Roots Turf Products, Inc., Commencing March 25, 2024 Through March 24, 2025
- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Change Order No. 1 - Final (Reduction In Contract In The Amount Of \$190,073.67), Releasing Performance Bond, Acceptance Of Maintenance Bond, And Authorizing Final Payments To Contractor, Earle Asphalt Company, In The Amounts Of \$128,264.20 And \$71,816.83, For The Closeout Of The 2022 Roadway Elevation - Normandy Beach – Joint Toms River & Brick Township Project
- n. **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 Titleist Golf Equipment (Bid-2024-105) To Acushnet Company, As The Sole Bidder Meeting All The Bid Specifications
- o. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For The Furnishing And Delivery Of Work Shoes And Work Boots (Bid-2024-102) For Various Departments, To Saf-Gard Safety Shoe Co., As The Bidder Offering The Highest Discount Percentage With No Exceptions, And Who Is The Most Responsive, Responsible Bidder, Meeting All The Bid Specifications
- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract To Bsn Sports, Llc, Who Meets All Of The Bid Specifications, For The Furnishing And Delivery Of Sporting Goods And Related Items (Bid-2024-104)
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Utilize Auction Liquidation Services/Usgovbid, The Online Auction Website For The Sale Of Surplus Personal Property No Longer Needed For Public Use
- r. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Supply Of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix,

Top Dressing & Bunker Sand To Various Vendors, Who Meet All The Bid Specifications

- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Motor Oils, Antifreeze, Greases And Lubricants To Brenntag Lubricants Llc, Petrochoice Llc, Ppc Lubricants Llc And Safety-Kleen Systems, Inc., As The Lowest Responsive, Responsible Bidders, Meeting All Of The Bid Specifications, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids BID-2024-126
- t. **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 Site Plan Known As Block 1001, Lot 173.04 (28 Third Avenue)
- u. **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 255, Lot 11-17 And 33-39 (214 Alabama Avenue & 215 Arkansas Avenue)
- v. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Performance Guarantees For A Major Site Plan Known As Block 654.01, Lot 18 (504 Hooper Avenue)
- w. **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 578, Lot 10 & 19 (642 Bay Avenue)
- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 444.01, Lot 6,7,8 & 9 (833 Fischer Blvd)
- y. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 394, Lot 49.01 (1784 Hooper Avenue)
- z. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 171, Lot 25.01 (2008 Lakewood Road)
- aa. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan, Block 172.04, Lot 12 (Lakewood Road)
- bb. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To

Attest To The Annual Amendment To The Interim Settlement Agreement Between Union Carbide Corporation And The Township Of Toms River

- cc. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Waiving Local Review Of Township Budget
- dd. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey To Amend The 2024 Temporary Budget Pursuant To N.J.S.A. 40A:4-20
- ee. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Certifying Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance On The Consideration Of Arrest And Conviction Records In Employment Decisions Under Title Vii Of The Civil Rights Act Of 1964," Pursuant To N.J.S.A. 40A:4-5.
- ff. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Budget Appropriation Reserve Transfers
- gg. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Cancel Various Contracts For The Purchase Of Vehicles For The Department Of Public Works And The Police Department From Pellegrino Chevrolet, Nielsen Ford Of Morristown Inc. And Charles S. Winner Inc., And Cancel All Associated Purchase Orders For Same, Effective Immediately
- hh. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Issuance Of A New Liquor License To Michael J. Wright
- ii. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing Ian Goldman, Esq., Of The Firm Of Levin, Shea, Pfeffer & Goldman, Pa, As Backup Prosecutor For The Township Of Toms River, At The Rate Of \$135.00 Per Hour, Or \$1,000.00 Per Session, For A Total Maximum Amount Not To Exceed \$10,000.00 For Calendar Year 2024, Commencing February 28, 2024 Up To And Including December 31, 2024, And Authorizing The Mayor To Execute And Township Clerk To Attest To An Agreement With Ian Goldman, Esq., Of The Firm Of Levin, Shea, Pfeffer & Goldman, Pa Esq., As Backup Prosecutor
- jj. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Adjusting And Establishing The Amount Of The 2024 Budget Of Fire District No. 2 Pursuant To N.J.S.A. 40A:14-78.5

Reports

10.

Building Department	2024	2023
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Building Permits - January	\$424,818.00	\$297,640.00
Building Permits - YTD through January	\$424,818.00	\$297,640.00
Recreation Department	2024	2023
Bey Lea Golf Course- January	\$13,133.07	\$7,381.70
Bey Lea Golf Course- YTD through January	\$13,133.07	\$7,381.70
Winding River Ice Rink- January	\$162,996.99	\$167,300.99
Winding River Ice Rink- YTD through January	\$162,996.99	\$167,300.99

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Wednesday, February 28, 2024 7:00 PM

1. **Meeting called to order.**

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 7:00 PM.

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

2. **Flag salute.**

3. **Open Public Meetings Act statement.**

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

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Thursday, **January 4, 2024**, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Tuesday **January 2, 2024**, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, **January 1, 2024**. The meeting dates have also been posted on the Township web page.

4. **ROLL CALL:**

CICCOZZI	Present
LAMB	Present
LOBMAN	Present
NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

5. **Minutes:** February 14, 2024 Special Meeting

Motion: To Approve February 14, 2024 Meeting Minutes

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

6. **Honoring Resolutions and Presentations:**

Motion: Approve Honoring Resolutions and Presentations

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

a. **Eagle Scouts Brennan Adams and Michael Piscopo from Troop 520**

Council and Mayor Rodrick presented Eagle Scouts Brennan Chase Adam and Michael Piscopo with Proclamations and Township coins. Both Eagle Scouts explained their final projects.

**Township of Toms River
Proclamation
Eagle Scout – Brennan Chase Adam
February 28, 2024**

WHEREAS, Brennan Chase Adams is a graduated member of BSA Troop 520 of the Jersey Shore Council of the Boy Scouts of America of Toms River, New Jersey and has earned the highest honor in BSA - the rank of **Eagle Scout**; and

WHEREAS, to achieve the rank of Eagle Scout, a scout must have a minimum of 22 months tenure, have earned at least 7 skill awards, logged a minimum of 18 hours community service time, served at least 16 months as a troop leader in 3 of 11 leadership positions, and have amassed at least 21 badges (14 of which are required by the Boy Scouts of America National Committee); and

WHEREAS, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All these requirements must be completed prior to a scout's 18th birthday; and

WHEREAS, Brennan has been active in scouting since First Grade and as a Cub Scout, he earned all cub ranks and the Arrow of Light. After crossing over to Boy Scouts, Brennan served in a variety of leadership roles including serving as the Bugler and Patrol Leader in Troop 520. Brennan earned a total of 37 merit badges. On April 19, 2023, Brennan earned the rank of Eagle; and

WHEREAS, the beneficiary of Brennan's Eagle Scout project was Compassionate Friends Children's Memorial Garden located in Winding River Park. Brennan constructed two bat houses to control mosquito population of the butterfly garden as well as supervising cleanup of the grounds.

NOW, THEREFORE, I, Daniel T. Rodrick, Mayor of the Township of Toms River, along with **Council members** on behalf of the Township and its residents do hereby CONGRATULATE AND HONOR **Brennan Chase Adams** on his achievement of becoming an **Eagle Scout** and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and efforts for the good of his community.

**Township of Toms River
Proclamation
Eagle Scout – Michael James Piscopo
February 28, 2024**

WHEREAS, Michael James Piscopo is a graduated member of BSA Troop 520 of the Jersey Shore Council of the Boy Scouts of America of Toms River, New Jersey and has earned the highest honor in BSA - the rank of **Eagle Scout; and**

WHEREAS, to achieve the rank of Eagle Scout, a scout must have a minimum of 22 months tenure, have earned at least 7 skill awards, logged a minimum of 18 hours community service time, served at least 16 months as a troop leader in 3 of 11 leadership positions, and have amassed at least 21 badges (14 of which are required by the Boy Scouts of America National Committee); and

WHEREAS, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All these requirements must be completed prior to a scout's 18th birthday; and

WHEREAS, Michael has been active in scouting since First Grade and as a Cub Scout, he earned all cub ranks and the Arrow of Light. After crossing over to Boy Scouts, Michael served in a variety of leadership roles including serving as Senior Patrol Leader in Troop 520. Michael earned a total of 47 merit badges. On October 26, 2022, Michael earned the rank of Eagle; and

WHEREAS, the beneficiary of Michael's Eagle Scout project was South Toms River First Aid Squad. Michael converted a golf cart into a field ambulance. The ambulance has been used for various parades and community events including the Ocean County Fair.

NOW, THEREFORE, I, Daniel T. Rodrick, Mayor of the Township of Toms River, along with Council Members on behalf of the Township and its residents do hereby CONGRATULATE AND HONOR Michael James Piscopo on his achievement of becoming an **Eagle Scout and commend and applaud his commitment to the Boy Scout of America and for dedicating his time and efforts for the good of his community.**

Ordinances- 1st Readings

- 7. ORDINANCE To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank**
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A.40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Council of the Township of Toms River in the County of Ocean finds it advisable and necessary to increase its CY2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$2,724,683.08 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Toms River, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2024 budget year, the final appropriations of the Township of Toms River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$3,814,556.32 and that CY2024 municipal budget for the Township of Toms River be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon; be filed with said Director within Five (5) days after such adoption.

Motion: Approve First Reading of Item 7. Ordinance

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

- Council Member Ciccozzi - Yes
- Council Member Lamb - Yes
- Council Member Lobman - Yes
- Council Member Nivison - Yes
- Council Member Quinlisk - Yes
- Council Vice-President O'Toole - Yes
- Council President Coleman - Yes

Resolutions

8. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Non-Fair And Open Professional Service Contract With Bowman & Company Llp For Financial And Budgeting Consultant Services, In A Total Contract Amount Not To Exceed \$25,000.00

FEBRUARY 28, 2024

WHEREAS, the Township has a need to retain financial and budgeting consultant services; and

WHEREAS, this award is provided through a non-fair and open basis and subject to campaign contribution reform laws, as set forth in N.J.S.A. 19:44A-20.4, et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq.; and

WHEREAS, Bowman & Company LLP, 601 White Horse Road, Voorhees Township, NJ, 08043, 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., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et seq., and Bowman & Company LLP acknowledges that the contract will prohibit them from making any such contributions through the term of this contract. The forms are on file in the Municipal Clerk's Office;

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 professional services contract is hereby awarded to Bowman & Company LLP, 601 White Horse Rd., Voorhees Township, NJ, 08043, for financial and budgeting consultant services for CY24, in the total maximum amount not to exceed \$25,000.00. Funds for this contract are available in Account No. 4-01- -F12-534, contingent upon the adoption of the CY2024 budget, availability of funds and execution of a contract. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

2. The Mayor is hereby authorized to execute and the Township Clerk to attest to a contract with Bowman & Company LLP for financial and budgeting consultant services. The term of contract shall commence February 28, 2024 up to and including December 31, 2024.

3. A notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.

4. 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) Business Administrator
- c) Township Council
- d) Township Attorney
- e) Certified Financial Officer
- f) Bowman & Company LLP

601 White Horse Road
Voorhees Township, NJ 08043

Motion: Approve Item 8. Resolution

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

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.

9. Consent Items

Motion: Approve All The Following Items Listed On The Consent Agenda Except Items G, H, J, CC, DD, GG, II for Discussion.

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund and Cancelations of Tax Payments

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A 2023 SENIORS DEDUCTION BEING REFUNDED BACK TO HOME OWNER,
AND;

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

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

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

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

NAME BLOCK LOT YR/QUAL AMOUNT

NAME	BLOCK	LOT	YR/QUAL	AMOUNT
ARENA, MICHAEL	192.32	8	2023/4	\$ 250.00
TOTAL:				\$250.00

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

A2

FEBRUARY 28, 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

NAME	BLOCK	LOT	Qual,Year	Amount
CORELOGIC COMMERCIAL REFUNDS	608	2.03	2024/1	\$88,627.21
TOTAL:				\$88,627.21

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

A3

FEBRUARY 28, 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

NAME	BLOCK	LOT	Qual/Year	Amount
LAW FIRM OF J.F. JANATA FOR PLAINTIFF @ CROSSROADS CORP	506.03	28.02	2023/4	\$16,970.72
MCKIRDY, RISKIN, OLSON & DELLAPELLE, PC ATTY PLAINTIFF	609.01	12	2020/4 \$7,050.54 2021/4 \$8,334.14	\$15,384.68
TOTAL:				\$32,355.40

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

A4

February 28, 2024

Whereas, the Tax Assessor has notified the Tax Collector of a duplicate assessment on the below property for 2023;

Whereas, the Tax Assessor has requested the 2023 tax billing be canceled;

And;

Whereas, the Tax Assessor has made the correction on the assessment for 2024.

Now, therefore be it resolved by the Township Council of Township of Toms River, in the County of Ocean and the State of New Jersey the follows:

1. The following duplicated property has their 2023 tax bill canceled.

<u>Block</u>	<u>Lot</u>	<u>Qual</u>	<u>Property Location</u>
694.14	30.02		817 WEST BRIAR AVENUE

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
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
- g) SILVER OAKS AT BROOKSIDE LLC

- 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 2 Properties To Be Canceled And/Or Refunded

B1

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 724.59 LOT 26 EFFECTIVE JANUAR 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 28, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 724.59 Lot 26, located at 1947 Teakwood 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 724.59 Lot 26 due on or after, January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 724.59 Lot 26, 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

B2

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 394.35 LOT 5 EFFECTIVE JANUAR 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

February 28, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 394.35 Lot 5, located at 992 Grace 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 394.35 Lot 5 due on or after, January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 394.35 Lot 5, 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/

- c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey authorizing the issuance of licenses to taxi companies

February 28, 2024

WHEREAS, the following application has been filed for **TAXI DRIVER / TAXI CAB / TAXI CAB COMPANY** in accordance with Chapter 457.

<u>Taxi Company</u>	<u>License #, Year, Car Description, Vin#</u>			
AA Always Available LLC 16 Pulaski Blvd Toms River, NJ 08757	712-23	2010	Lincoln	50597
	713-24	2011	Lincoln	65393
7 Star Taxi 2210 Royal Oaks Dr Toms River, NJ 08753	423-24	2011	Toyota	49953
Ocean Taxi 49 Wrangle Brook Rd Toms River, NJ 08753	702-24	2011	Toyota	15026
DKR Cab 504 Lafayette Ave Toms River, NJ 08753	736-24	2016	Toyota	34320

WHEREAS, the Township Clerk has reported to this Council that said applications and requirements are in order;

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

1. That the Clerk of this Township is hereby authorized and directed to issue the TAXI LICENSE to the applicants listed above, in accordance with Chapter 457 (Taxicab and Taxicab Drivers) the "Code of the Township of Toms River".
2. The applicant is required to conform to all provisions of Chapter 457 (Taxi cabs and Taxi Drivers)
3. The Township Clerk shall send a certified copy of Resolution to the:
 - a. Police Department

- b. Licensee (s)
- c. Clerk's File
- d. Law Dept.

- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey authorizing the issuance of licenses to taxi drivers

February 28, 2024

WHEREAS, the following application has been filed for **TAXI DRIVER / TAXI CAB / TAXI CAB COMPANY** in accordance with Chapter 457.

<u>Name</u>	<u>Type of License</u>	<u>Taxi Company</u>
01-24 Chris Marashlian Available	Taxi Driver	AA Always s
02-24 Jaswinder Lal	Taxi Driver	DKR Cab
03-24 Baljinder Singh LLC	Taxi Driver	Ocean Taxi
04-24 Hardil Singh	Taxi Driver	7 Star Taxi
05-24 Navjot Singh LLC	Taxi Driver	Ocean Taxi

WHEREAS, the Township Clerk has reported to this Council that said applications and requirements are in order;

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

1. That the Clerk of this Township is hereby authorized and directed to issue the TAXI LICENSE to the applicants listed above, in accordance with Chapter 457 (Taxicab and Taxicab Drivers) the "Code of the Township of Toms River".
2. The applicant is required to conform to all provisions of Chapter 457 (Taxi cabs and Taxi Drivers)
3. The Township Clerk shall send a certified copy of Resolution to the:
 - a. Police Department
 - b. Licensee (s)
 - c. Clerk's File
 - d. Law Dept.

- e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Renewal of Massage Business Licenses

February 28, 2024

**WHEREAS, the following application for
Massage business licenses have been made under the
Provisions of Ordinance numbers 1606 and 1682:**

MASSAGE BUSINESS

**07-24 New Aroma Spa
 1545 Rote 9
 Toms River, NJ 08753**

**08-24 Ocean Blue Day Spa
 2811 Route 37 East
 Toms River, NJ 08753**

**WHEAREAS, said applicants have complied with all the
requirements of Ordinance numbers 1606 and 1682, Chapter 357,
of the “Code of the Township of Toms River, New Jersey,” with
respect to licensing; and**

**WHEREAS, the appropriate licensing fee has been paid
To the Township of Toms River;**

**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. The Township Clerk is herby authorized to issue the licenses
Listed in the preamble hereof.**
- 2. A certified copy of this resolution shall be provided by the Office of
the Township Clerk to each of the following:**

- a. **Attorney**
 - b. **Chief of Police**
 - c. **Code Enforcement**
 - d. **Applicants listed above**
- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The First One (1) Year Optional Extension Of The Existing Contract For Njsacop Accreditation Services With Lexipol Llc, In The Total Contract Amount Not To Exceed \$11,900.00, Commencing March 22, 2024 Through March 21, 2025

FEBRUARY 28, 2024

WHEREAS, the Division of Purchasing requests authorization to utilize the 1st one (1) year optional extension of the existing contract for NJSACOP Accreditation Services; and

WHEREAS, one (1) bid was received from the following vendor on March 7, 2023, as follows:

Lexipol LLC
2611 Internet Blvd., Suite 100
Frisco, TX 75034

WHEREAS, resolution of the Township Council dated March 22, 2024 authorized the award of a contract for NJSACOP Accreditation Services for the Police Department to Lexipol LLC, 2611 Internet Blvd., Suite 100, Frisco, TX, 75034, who met all the bid specifications, in the total contract amount not to exceed \$11,900.00; and

WHEREAS, the initial term of contract is effective March 22, 2023 through March 21, 2024. Pursuant to N.J.S.A. 40A:11-15, the Township shall have the option to extend the contract for two (2) additional one-year extensions, contingent upon approval from the governing body by resolution with the agreement of the vendor; and

WHEREAS, the Police Department requests authorization to utilize the first (1st) optional one year extension;

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 optional first one (1) year optional extension of the existing contract for NJSACOP Accreditation Services for the Police Department to Lexipol LLC, 2611 Internet Blvd., Suite 100, Frisco, TX, 75034, in the total contract amount not to exceed \$11,900.00, effective March 22, 2024 through March 21, 2025. The award of this contract is subject to all the terms and conditions of the bid specifications. Contract extensions shall be subject to the availability and appropriation of funds for 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.

2. Funds for this contract in the amount not to exceed \$11,900.00 are available in Account No. 4-01- -P45-534. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Police Department
- e) Lexipol LLC
2611 Internet Blvd., Suite 100
Frisco, TX 75034

- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Requesting Authorization To Reject All Bids Received For The Bey Lea Clubhouse Façade Improvements (Const-2023-001) Pursuant To N.J.S.A. 40A:11-13.2(B) Due To Exceeding Budgetary Estimates

FEBRUARY 28, 2024

WHEREAS, the Office of Engineering requests authorization to award a contract for the Bey Lea Clubhouse Façade Improvements; and

WHEREAS, bids were invited for the Bey Lea Clubhouse Façade Improvements; and

WHEREAS, three (3) bids were received on January 9, 2024 from the following vendors:

Spartan Construction General Contracting Inc. 399 Oak Street South Amboy, NJ 08879	\$389,000.00
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George Koustas Painting and Construction 70 Beechwood Ave West Long Branch, NJ 07764	\$475,000.00
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Eko Construction LLC PO Box 232 Oakhurst, NJ 07755	\$543,000.00
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WHEREAS, the bids were reviewed by the Purchasing Division and Engineering, and recommendation has been made to award a contract to Spartan Construction General Construction Inc., as the lowest bidder, meeting all of the bid specifications, for the Bey Lea Clubhouse Façade Improvements;

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

1. It hereby awards a contract to Spartan Construction and General Contracting Inc. as the lowest bidder, meeting all the bid specifications, for the Bey

Lea Clubhouse Façade Improvements, in the total contract amount not to exceed \$389,000.00. The award of this contract is subject to all the terms and conditions of the bid specifications.

2. Vendors were asked to provide unit prices for various additions/deductions. Any additions 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.

3. Funds for this contract in the amount not to exceed \$389,000.00 are available in Account No. 3-01- -S75-252. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Business Administrator
- d) Township Attorney
- e) Engineering Dept.
- f) Recreation Dept.
- g) All Aforementioned Bidders

Councilman Quinlisk asked why its being rejected if already approved and went out for bid.

Rodrick stated it was approved by previous administration. He feels like the grant money should be put towards Recreational purposes not for siding.

Janet Laing, 37 Cedar Dr. wanted the public to be aware that the money was to go toward siding the entire building of the Bey Lea Clubhouse, not just the back of the building.

Paul Williams, Broad St., wanted to remind everyone if you are not called on by Council President you should not speak. He believes that the funds should be used for what it was already approved for.

Motion: Table

Motion Made By: James Quinlisk

Seconded: David Ciccozzi

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- No
Council Member Lobman	- No
Council Member Nivison	- No
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- No
Council President Coleman	- No

Motion: Approve Item G.

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Toms River Police Department To Participate In The Defense Logistics Agency, Law Enforcement Support Office, 1033 Program To Enable The Toms River Police Department To Request And Acquire Excess Department Of Defense Equipment

FEBRUARY 28, 2024

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of, any property through the 1033 Program; and

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Township of Toms River, New Jersey, that the Toms River Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31st of the current calendar year,

from January 1, 2024 to December 31, 2024; and

BE IT FURTHER RESOLVED, that the Toms River Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A", which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Toms River Police Department, without restriction; and

BE IT FURTHER RESOLVED that the Toms River Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes; and

BE IT FURTHER RESOLVED that the "DEMIL B through Q" controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution; and

BE IT FURTHER RESOLVED that the Toms River Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Toms River Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year, from January 1, 2024 to December 31, 2024:

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. Business Administrator
- c. Township Attorney
- d. Township Clerk
- e. Toms River Police Department

Attn: Lt. Anthony Scali

Attn: Captain Pat Dellane

Irene Watson, Messenger St., asked to please explain what this resolution is. Assistant Attorney Merlino, explained the resolution, and that it is to comply with state law.

Motion: Approve Item H.

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi - Yes
Council Member Lamb - Yes
Council Member Lobman - Yes
Council Member Nivison - Yes
Council Member Quinlisk - Yes
Council Vice-President O'Toole - Yes
Council President Coleman - Yes

- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of An Initial Contract For Approximately Three Thousand (3,000) Combined 95 And 64 Gallon Sanitation Collection System Automated/Semi-Automated (Robo) Containers And Parts Discount For The Department Of Public Works, To LPL North America Inc. In The Total Initial Contract Amount Not To Exceed \$166,615.00
(The Township Shall Have The Ability To Order A Combined Total Of Ten Thousand (10,000) Containers Throughout The Contract Period)

FEBRUARY 28, 2024

WHEREAS, the Division of Purchasing requests authorization to award a contract for the purchase of 95 and 64 gallon sanitation collection system automated/semi-automated (ROBO) containers and parts discount for the Department of Public Works; and

WHEREAS, two bids were received on January 11, 2024 and reviewed by the Purchasing Division and Department of Public Works, as follows:

**Township of Toms River 95-Gallon Cascade IPL North America
and 64-Gallon Sanitation Engineering Inc
Collection System
Automated/Semi-Automated Robo
Containers Bid Tab**

5175 36th Street
SE
Grand Rapids, MI
49512

140 Commercial
Street
St-Damien-de-
Buckland
QC Canada, GOR
2Y0

<u>SANITATION CONTAINERS</u>			
1	95-Gallon Sanitation Containers - Each:	\$61.17	\$62.50
2.	64-Gallon Sanitation Containers -	\$48.15	\$51.67

	Each:		
	PARTS		
1.	Wheels for 95-Gallon Sanitation Containers - Set	\$8.00	\$10.00
2.	Wheels for 64-Gallon Sanitation Containers - Set	\$7.20	\$10.00
3.	Axle for 95-Gallon Sanitation Containers - Each	\$6.50	\$4.00
4.	Axle for 64-Gallon Sanitation Containers - Each	\$2.50	\$4.00
7.	LID for 95-Gallon Sanitation Containers - Each	\$11.20	\$14.00

WHEREAS, the lowest bid received from Cascade Engineering shall be rejected for failure to meet the specifications. Specifically, the wheels shall be 12 inches, and a European Comb Lift is required for rear loaders;

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

1. It hereby awards a contract for the initial purchase of approximately three thousand (3,000) combined 95 and 64 gallon sanitation collection system automated/semi-automated (ROBO) containers and parts discount, to IPL North America Inc., 140 Commercial Street, Saint-Damien-de-Buckland, QC Canada, GOR 2Y0, for the Department of Public Works, as follows:

Township of Toms River 95-Gallon and 64-Gallon Sanitation Collection System Automated/Semi-Automated Robo Containers Bid Tab	Cascade Engineering 5175 36 th Street SE Grand Rapids, MI 49512	IPL North America Inc 140 Commercial Street St-Damien-de-Buckland QC Canada, GOR 2Y0
---	--	---

	SANITATION CONTAINERS		
1	95-Gallon Sanitation Containers - Each:	\$61.17	\$62.50
2.	64-Gallon Sanitation Containers - Each:	\$48.15	\$51.67
	PARTS		
1.	Wheels for 95-Gallon Sanitation Containers - Set	\$8.00	\$10.00
2.	Wheels for 64-Gallon Sanitation Containers - Set	\$7.20	\$10.00
3.	Axle for 95-Gallon Sanitation Containers - Each	\$6.50	\$4.00

4.	Axle for 64-Gallon Sanitation Containers - Each	\$2.50	\$4.00
7.	LID for 95-Gallon Sanitation Containers - Each	\$11.20	\$14.00

2. The lowest bid received from Cascade Engineering shall be rejected for failure to meet the specifications. Specifically, the wheels shall be 12 inches, and a European Comb Lift is required for rear loaders.

3. This contract shall be in effect from the Date of Award for a period of twelve (12) consecutive months.

4. The Township estimates the initial purchase of approximately three thousand (3,000) containers combined. Funds in the amount of \$166,615.00 for the initial three thousand (3,000) containers are available in Account No. X-04- -257-204. The Township shall have the ability to order a combined total of ten thousand (10,000) containers throughout the contract period, with funds being encumbered each time an order is placed on an as-needed basis, contingent upon the availability of funds in the appropriate municipal budget.

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

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) All Aforementioned Bidders

j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Rejecting The Bid Received From Brave Industrial Paint Llc, For Parking Garage Repair Plans For The Township Parking Garage, As It Substantially Exceeds The Cost Estimates For This Service, And Authorizes The Appropriate Township Officials To Approve The Rebid For This Purchase

FEBRUARY 28, 2024

WHEREAS, bids were invited for Parking Garage Repair Plans for the Township Parking Garage; and

WHEREAS, one bid was received on January 11, 2024, as follows:

Brave Industrial Paint LLC \$524,800.00
177 Elmwood Avenue
Long Branch, NJ 07740

WHEREAS, the bid has been reviewed by the Purchasing Division and the Engineering Department, and they have decided that it substantially exceeds the cost estimates for this service, and it would be in the best interest of the Township to reject

the bid pursuant to N.J.S.A. 40A:11-13.2(a), and rebid this purchase;

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

1. It is in the best interest of the Township to reject the above-mentioned bid received, pursuant to N.J.S.A. 40A:11-13.2(a).

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Engineering Department
- e) Brave Industrial Paint LLC
177 Elmwood Avenue
Long Branch, NJ 07740

Councilman Quinlisk asked why are we canceling this resolution, he feels it is important to repair the parking garage.

Mayor Rodrick believes that is way too much money to paint the parking garage. Council President Coleman states that he looked at the garage and doesn't feel it needs to be painted.

Councilman Quinlisk ask that we look at the engineering specs and see what repairs need to be done.

Councilman Nivison asked that we look into rebidding and seeing what really needs to be worked on.

Motion: Approve Item J.

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Second And Final One (1) Year Open-Ended Contract Extension For The Supply Of Toro (Oem) Repair Parts And Accessories With Turf Equipment And Supply Inc., Commencing March 7, 2024 Through March 6,

2025

FEBRUARY 28, 2024

WHEREAS, resolution of the Township Council dated February 23, 2021, authorized the award of contract for the Supply of Toro OEM Repair Parts and Accessories with Turf Equipment and Supply Inc., for a two (2) year term effective March 7, 2021 through March 6, 2023; and

WHEREAS, resolution of the Township Council dated February 22, 2023 authorized the first optional extension for Toro (OEM) Repair Parts and Accessories with Turf Equipment and Supply Inc., effective March 7, 2023 through March 6, 2024, under the same terms and conditions as in the original contract; and

WHEREAS, the Township has determined that it is in the best interest of the Township to extend the contract for the second and final one (1) year term;

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 second and final one (1) year contract extension with Turf Equipment and Supply Inc., for the Supply of Toro (OEM) Repair Parts and Accessories, as stated above, for a one (1) year term, commencing March 7, 2024 through March 6, 2025. This contract shall 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 extension of this contract shall be subject to all the terms and conditions of the original contract award.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Division of Parks, Buildings and Grounds
- f) Bey Lea Golf Course
- g) Turf Equipment and Supply Inc.
8015 Dorsey Run Road
Jesssup, MD 20794

- I. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The First One (1) Year Optional Extension Of The Existing Contract For Golf Supplies With Grass Roots Turf Products, Inc., Commencing March 25, 2024 Through March 24, 2025

FEBRUARY 28, 2024

WHEREAS, resolution of the Township Council dated February 23, 2022, authorized the award of a contract for Golf Supplies with Grass Roots Turf Products, Inc., 4 Middlebury Blvd., Suite 7, Randolph, NJ, 07869, effective March 25, 2022 through March 24, 2024; and

WHEREAS, the terms of the original contract award included the provision authorized pursuant to N.J.S.A. 40A:11-15, which allows for the contract to be extended for no more than one (1) two-year, or two (2) one-year extensions upon expiration of the original contract term. The Division of Purchasing and Bey Lea Golf Course have determined it is in the best interest of the Township to extend this contract for the first optional one (1) year term;

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

1. It hereby authorizes the first one (1) year optional extension of the existing contract for Golf Supplies with Grass Roots Turf Products, Inc., 4 Middlebury Blvd., Suite 7, Randolph, NJ, 07869, effective March 25, 2024 through March 24, 2025. The extension of this contract shall be subject to all the terms and conditions of the original contract award.

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 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.

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Recreation Department
- e) Bey Lea Golf Course
- f) Grass Roots Turf Products, Inc.
4 Middlebury Blvd., Suite 7
Randolph, NJ 07869

- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Change Order No. 1 - Final (Reduction In Contract In The Amount Of \$190,073.67), Releasing Performance Bond, Acceptance Of Maintenance Bond, And Authorizing Final Payments To Contractor, Earle Asphalt Company, In The Amounts Of \$128,264.20 And \$71,816.83, For The Closeout Of The 2022 Roadway Elevation - Normandy Beach – Joint Toms River & Brick

Township Project

FEBRUARY 28, 2024

WHEREAS, resolution of the Township Council dated September 28, 2022, awarded a contract to Earle Asphalt Company for the 2022 Roadway Elevation – Normandy Beach – Joint Toms River & Brick Township Project, in the amount of \$2,707,513.13; and

WHEREAS, the contractor retained for the 2022 Roadway Elevation – Normandy Beach – Joint Toms River & Brick Township Project, has submitted the required documents in connection with the closeout of this project; and

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

a) Contractor’s Applications for Payment in the amounts of \$128,264.20 and \$71,816.83.

b) Change Order No. 1 – Final - Executed by the contractor for a reduction in the contract amount of (\$190,073.67).

c) Original Maintenance Bond No. K41540175M with Earle Asphalt Company, as Principal and Federal Insurance Company, as Surety.

WHEREAS, Change Order 1 – Final to the contract with Earle Asphalt Company, to wit:

DESCRIPTION OF CHANGE – CHANGE ORDER NO. 1 – FINAL REDUCTION:

Final Adjustment of Contract Quantities – Net Reduction - \$190,073.67.

TOTAL REDUCTION: (\$190,073.67).

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	X	(\$190,073.67)
Total Extras This C.O.	X	X
Total Supplementary This C.O.	X	X
Total This C.O.	X	(\$190,073.67)
Previous Change Orders	X	X
Total Change Orders to Date:	X	(\$190,073.67)
Total Change in Contract	X	(\$190,073.67)
ORIGINAL CONTRACT BID PRICE:	\$2,707,513.13	
NEW CONTRACT PRICE:	\$2,517,439.46	

be and the same is hereby ratified and confirmed;

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

1. It hereby authorizes the appropriate Township Officials of the Township of Toms River to take whatever action is necessary to process the aforesaid documentation, to close out the 2022 Roadway Elevation – Normandy Beach – Joint

Toms River & Brick Township Project, approval of Change Order No. 1 – Final, releasing Performance Bond, acceptance of Maintenance Bond, and authorizing final payment to contractor, in the amounts of \$128,264.20 and \$71,816.83, and funds are available in the following Account Nos:

BRICK

- Account No. X-04- -101-008 - \$ 3,999.80
- Account No. X-04- -101-008 - \$ 5,004.38
- Account No. X-04- -101-008 - \$ 5,332.32
- Account No. X-04- -101-008 - \$ 8,137.52
- Account No. X-04- -101-008 - \$ 8,092.17
- Account No. X-04- -101-008 - \$97,698.01

TOTAL: \$128,264.20

TOMS RIVER

- Account No. X-99- -907-801 - \$ 5,409.48
- Account No. X-04- -253-103 - \$ 555.90
- Account No. X-04- -253-103 - \$ 359.16
- Account No. X-04- -255-001 - \$ 6,023.08
- Account No. X-04- -253-103 - \$ 4,379.22
- Account No. X-04- -255-001 - \$55,089.99

TOTAL: \$71,816.83

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

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

- a) Certified Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) Earle Asphalt Company
PO Box 556
Farmingdale, NJ 07727

n. **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 Titleist Golf Equipment (Bid-2024-105) To Acushnet Company, As The Sole Bidder Meeting All The Bid Specifications

FEBRUARY 28, 2024

WHEREAS, the Division of Purchasing requests authorization to award a contract for the Furnishing and Delivery of Titleist Golf Equipment; and **WHEREAS**, one (1) bid was received on January 25, 2024 from the following vendor:

Acushnet Company
333 Bridge Street
Fairhaven, MA 02719

WHEREAS, the bid has been reviewed by the Division of Purchasing and Bey Lea Golf Course, and they have recommended that a contract for the Furnishing and Delivery of Titleist Golf Equipment be awarded to Acushnet Company, 333 Bridge Street, Fairhaven, MA, 02719, as the sole bidder meeting all the bid specifications, as follows:

Acushnet Company – Item Nos.: Line items, 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79.

The following items received no bids and will not be re-bid as they are no longer available: Line item #5, and Line item #67.

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 Titleist Golf Equipment to Acushnet Company, 333 Bridge Street, Fairhaven, MA, 02719, as the sole bidder meeting all the bid specifications, as follows:

Acushnet Company – Item Nos.: Line items, 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79.

2. The following items received no bids and will not be re-bid as they are no longer available: Line item #5, and Line item #67.

3. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget. This contract is subject to all the terms and conditions of the bid specifications.

4. The Term of Contract shall commence March 21, 2024 for a period of twelve (12) consecutive months. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than two (2) one-year extensions after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same.

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

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

- a) Division of Purchasing
- b) Certified Financial Officer

- c) Township Attorney
- d) Bey Lea Golf Course
- f) Acushnet Company
333 Bridge Street
Fairhaven, MA 02719

- o. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For The Furnishing And Delivery Of Work Shoes And Work Boots (Bid-2024-102) For Various Departments, To Saf-Gard Safety Shoe Co., As The Bidder Offering The Highest Discount Percentage With No Exceptions, And Who Is The Most Responsive, Responsible Bidder, Meeting All The Bid Specifications

FEBRUARY 28, 2024

WHEREAS, the Division of Purchasing requests authorization to award a contract for Work Shoes and Work Boots; and

WHEREAS, bids were first invited on January 25, 2024 for the Furnishing and Delivery of Work Shoes and Work Boots for various departments, and received as follows:

			Keyport Army Navy	Saf-Gard Safety Shoe Co.	Shoes For Crews, LLC
Line Item	Description	Unit of Measure	Percentage	Percentage	Percentage
1	DISCOUNT OFF CURRENT PRICE LIST	PERCENT	20.0%	20.0%	15.0%

WHEREAS, Keyport Army Navy and Saf-Gard Safety Shoe Co. had tie bids for the highest percentage discount. The Division of Public Works deemed Saf-Gard Safety Shoe Co. the more advantageous vendor because they offer an on-site shoe mobile; and

WHEREAS, the bids have been reviewed by the Purchasing Division, and recommendation has been made to award an open-ended contract for the Furnishing and Delivery of Work Shoes and Work Boots to Saf-Gard Safety Shoe Co., 2701 Patterson Street, Greensboro, NC, 27407, as the bidder offering the highest discount percentage with no exceptions, is the most responsive, responsible bidder meeting all the bid specifications;

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

1. It hereby awards an open-ended contract for the Furnishing and Delivery of Work Shoes and Work Boots to SAF-Gard Safety Shoe Co., 2701 Patterson Street, Greensboro, NC, 27407, as the bidder offering the highest discount percentage with no exceptions, and is the most responsive, responsible bidder meeting all the bid specifications, as follows:

			Keyport Army Navy	Saf-Gard Safety Shoe Co.	Shoes For Crews, LLC
Line Item	Description	Unit of Measure	Percentage	Percentage	Percentage
1	DISCOUNT OFF CURRENT PRICE LIST	PERCENT	20.0%	20.0%	15.0%

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

3. The term of this contract shall commence March 10, 2024 for a period of twenty-four (24) consecutive months. The award of this contract is subject to all the terms and conditions of the bid specifications.

4. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for one (1) additional twelve 12 month 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.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Division of Parks, Buildings & Grounds
- f) Winding River
- g) Bey Lea Golf Course
- h) Saf-Gard Safety Shoe Co.
2701 Patterson Street
Greensboro, NC 27407

- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract To Bsn Sports, Llc, Who Meets All Of The Bid Specifications, For The Furnishing And Delivery Of Sporting Goods And Related Items (Bid-2024-104)

FEBRUARY 28, 2024

WHEREAS, bids were invited on January 25, 2024 for the Furnishing and Delivery of Sporting Goods and Related Items; and

WHEREAS, bids were received, as follows:

BSN Sports, LLC

PO Box 7726
 Dallas, TX 75209-0726

Riddell/All American
 7501 Performance Lane
 North Ridgeville, OH 44039

WHEREAS, the bids have been reviewed by the Division of Purchasing, and associated departments, and recommendation has been made to award a contract based on the highest percentage discount provided as follows:

BSN Sports
 PO Box 7726

Dallas, TX 75209

Riddell/ All American
 7501 Performance
 Lane
 North Ridgeville, OH
 44039

	SPORTING GOODS AND RELATED ITEMS		
1	Tennis/Pickleball/Badminton and Related Equipment and Accessories	10%	0%
2.	Baseball/Softball and Related Equipment and Accessories	10%	5%
3.	Basketball and Related Equipment and Accessories	10%	5%
4.	Football/Flag Football and Related Equipment and Accessories	10%	5%
5.	Golf and Related Equipment and Accessories	10%	0%
6.	Ice Skating/Hockey and Related Equipment and Accessories	10%	0%
7.	Pool/Billiards and Related Equipment and Accessories	10%	0%
8.	Soccer and Related Equipment and Accessories	10%	5%
9.	Track & Field and Related Equipment and Accessories	10%	5%
10.	Volleyball Related Equipment and Accessories	10%	5%
11.	Indoor Exercise/Fitness Equipment and Accessories	10%	0%
12.	Swimming and Related Equipment and Accessories	10%	0%
13.	Indoor/Outdoor Recreational Games and Related Equipment and Accessories	10%	0%
14.	Board Games and Related Activities	10%	0%

15.	Miscellaneous Sporting Goods/Games and Related Equipment and Accessories Not Categorized Above	10%	5%
	DELIVERY	10%	
16.	Delivery After Receipt of Order (ARO)	\$0.00	\$60.00

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

1. It hereby awards the contract for the Furnishing and Delivery of Sporting Goods and Related Items to BSN Sports, LLC, based on the highest percentage discount provided, as listed above. (BID-2024-104). Term of contract shall be effective from Date of Award through March 21, 2025. This contract will 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. The award of 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 no more than two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the contractor. Contract extensions shall be subject to the availability and appropriation of funds 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) Certified Financial Officer
- c) Township Attorney
- d) Recreation Dept.
- e) Youth Center
- f) Senior Services
- g) Bey Lea Golf Course
- h) Winding River Skating Rink
- i) Aforementioned Bidders

- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Utilize Auction Liquidation Services/Usgovbid, The Online Auction Website For The Sale Of Surplus Personal

Property No Longer Needed For Public Use

FEBRUARY 28, 2024

WHEREAS, pursuant to N.J.S.A. 40A:11-36, the Division of Purchasing is requesting authorization to utilize Auction Liquidation Services/USGOVBID, for the provision of 2024 Online Auctions, for the use of an online auction website for the sale of surplus personal property, no longer needed for public use; and

WHEREAS, the Division of Purchasing foresees the need for two (2) public auctions in 2024. The first shall be held in March 2024 and the second in September 2024; and

WHEREAS, the Township receives 100% of the proceeds from the auction;

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 Auction Liquidation Services/USGOVBID, to conduct an on-line auction for the sale of surplus personal property no longer needed for public use.
2. The Township receives 100% of the proceeds from the auction.
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) Business Administrator
- c) Certified Financial Officer
- d) Township Attorney
- e) Police Department
- f) Public Works Department
- g) USGOVBID Auction Liquidation Services
300 Commerce Drive
1st Floor
Tinton Falls, NJ 07753
- h) Department of Community Affairs
Division of Local Government Services
Attn: Director
P.O. Box 803
Trenton, N.J. 08625-0803

- r. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Supply Of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing & Bunker Sand To Various Vendors, Who Meet All The Bid Specifications

FEBRUARY 28, 2024

WHEREAS, the Division of Purchasing requests authorization to award contracts for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand; and **WHEREAS**, bids were received on January 25, 2024 from the following vendors:

Harrell's LLC 5105 New Tampa Hwy Lakeland, FL 33815	Britton Industries Inc. 227 Bakers Basin Road Lawrenceville, NJ 08648	Davisson Golf Inc. 175 Penrod Ct, Ste. M Glen Burnie, MD 21061
Fisher & Son Company, Inc. 110 Summit Drive Exton, PA 19341	Grass Roots Turf Products, Inc. PO Box 336 Mt Freedom, NJ 07970	Helena Agri- Enterprises LLC 500 Pedricktown Road Swedesboro, NJ 08085
Herman's Trucking & Recycling 181 Jacobstown- Cookstown Road Wrightstown, NJ 08562	Mitchell Products LLC 1205 West Main Street Millville, NJ 08332	Nutrien AG Solutions 1470 Jersey Ave North Brunswick, NJ 08902
Plant Food Company Inc. 38 Hightstown-Cranbury Station Road Cranbury, NJ 08512	Pocono Turf Supply 160 Commerce Drive Montgomeryville, PA 18936	Seeton Turf Warehouse, LLC dba Noble Turf 25 Roland Ave Mount Laurel, NJ 08054
Site-One Landscape Supply 1385 East 36 th Street Cleveland, OH 44114	Tuckahoe Sand & Gravel 2819 Fire Road Egg Harbor Township, NJ 08234	

Items # 7, 64, 71, 103, 104, 110, 137, 196, 224, 227, received no bids and shall be re-bid.

Items # 201, 202, 204, 215, 220 shall be awarded to the second or third lowest bidder because the lowest bid(s) did not meet the specifications.

The following items with tied prices were drawn randomly in a manner where everyone had an equal opportunity to be chosen. Item # 15, 16, 17, 19, 20, 28, 35, 37, 43, 45, 46, 48, 49, 54, 55, 56, 57, 58, 59, 60, 61, 63, 65, 68, 72, 74, 81, 82, 83, 87, 88, 89, 178, 179, 180, 181, 182.

WHEREAS, the bids have been reviewed by the Division of Purchasing and Bey Lea Golf Course, and they have recommended that items shall be awarded to the following vendors who meet all the bid specifications, as follows:

Harrell's LLC for items: 20, 45, 49, 59, 68, 74, 81, 100, 119, 174, 183, 185, 188, 190, 191.

Britton Industries Inc. for items: 228, 230, 231.

Davisson Golf Inc. for items: 95, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 184, 192, 198.

Fisher & Son Company Inc. for items: 15, 16, 17, 37, 43, 60, 63, 69, 73.

Grass Roots Turf Products Inc. for items: 1, 14, 23, 32, 35, 42, 96, 99, 170, 175, 176, 177, 180, 181, 187, 221, 222, 223, 232, 233, 234, 235, 236.

Helena Agri-Enterprises LLC for items: 12, 24, 25, 30, 36, 38, 39, 51, 53, 55, 56, 58, 70, 76, 78, 92, 173, 189, 193, 210.

Herman's Trucking & Recycling for items: 229.

Mitchell Products LLC for items: 85, 94.

Nutrien Ag Solutions for items: 3, 4, 5, 9, 10, 11, 13, 18, 21, 26, 31, 33, 34, 40, 41, 50, 67, 79, 83, 84, 172.

Plant Food Company Inc. for items: 97, 98, 101, 102, 106, 107, 108, 109, 113, 171, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 226.

Pocono Turf Supply for items: 44, 46, 47, 54, 57, 66, 72, 80, 86, 90, 114, 115, 116, 117, 118, 120, 168, 169, 186, 225.

Seeton Turf Warehouse, LLC dba Noble Turf for items: 2, 19, 27, 62, 87, 88, 89, 111, 178, 179, 182, 194, 195, 197, 237.

SiteOne Landscape Supply for items: 6, 8, 22, 28, 29, 48, 52, 61, 65, 75, 77, 82,91, 93, 105.

Tuckahoe Sand & Gravel for items: 112

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

1. It hereby awards open-ended contracts for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand to Harrell's LLC, Britton Industries Inc., Davisson Gold Inc., Fisher & Son Company Inc., Grass Roots Turf Products Inc., Helena Agri-Enterprises LLC, Herman's Trucking & Recycling, Mitchell Products LLC, Nutrien Ag Solutions, Plant Food Company Inc., Pocono Turf Supply, Seeton Turf Warehouse, SiteOne Landscape Supply, and Tuckahoe Sand & Gravel, who meet all the bid specifications, as follows:

Harrell's LLC for items: 20, 45, 49, 59,68, 74, 81, 100, 119, 174, 183, 185, 188, 190, 191.

Britton Industries Inc. for items: 228, 230, 231

Davisson Golf Inc. for items: 95, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 184, 192, 198.

Fisher & Son Company Inc. for items: 15, 16, 17, 37, 43 60, 63, 69, 73.

Grass Roots Turf Products Inc. for items: 1, 14, 23, 32, 35, 42, 96, 99, 170, 175, 176, 177, 180, 181, 187, 221, 222, 223, 232, 233, 234, 235, 236.

Helena Agri-Enterprises LLC for items: 12, 24, 25, 30, 36, 38, 39, 51, 53, 55, 56, 58, 70, 76, 78, 92, 173, 189, 193, 210.

Herman's Trucking & Recycling for items: 229.

Mitchell Products LLC for items: 85, 94.

Nutrien Aq Solutions for items: 3, 4, 5, 9, 10, 11, 13,18, 21, 26, 31, 33, 34, 40, 41, 50, 67, 79,83, 84, 172.

Plant Food Company Inc. for items: 97, 98, 101, 102, 106, 107, 108, 109, 113, 171, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 226.

Pocono Turf Supply for items: 44, 46, 47, 54, 57, 66, 72, 80, 86, 90, 114, 115, 116, 117, 118, 120, 168, 169, 186, 225.

Seeton Turf Warehouse, LLC dba Noble Turf for items: 2, 19, 27, 62, 87, 88, 89, 111, 178, 179, 182, 194, 195, 197, 237.

SiteOne Landscape Supply for items: 6, 8, 22, 28, 29, 48, 52, 61, 65, 75, 77, 82,91, 93, 105.

Tuckahoe Sand & Gravel for items: 112

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2. Items # 7, 64, 71, 103, 104, 110, 137, 196, 224, 227, received no bids and shall be re-bid.
3. Items # 201, 202, 204, 215, 220 shall be awarded to the second or third lowest bidder because the lowest bid(s) did not meet the specifications.
4. The following items with tied prices were drawn randomly in a manner where everyone had an equal opportunity to be chosen. Item # 15, 16, 17, 19, 20, 28, 35, 37, 43, 45, 46, 48, 49, 54, 55, 56, 57, 58, 59, 60, 61, 63, 65, 68, 72, 74, 81, 82, 83, 87, 88, 89, 178, 179, 180, 181, 182.
5. These contracts 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.
6. The Term of Contract shall be effective from March 11, 2024 for a period of twelve (12) consecutive months.
7. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
8. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Division of Purchasing
 - b) Certified Financial Officer
 - c) Township Attorney

- d) Bey Lea Golf Course
- e) All Aforementioned Bidders

s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Motor Oils, Antifreeze, Greases And Lubricants To Brenntag Lubricants Llc, Petrochoice Llc, Ppc Lubricants Llc And Safety-Kleen Systems, Inc., As The Lowest Responsive, Responsible Bidders, Meeting All Of The Bid Specifications, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids BID-2024-126

FEBRUARY 28, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Furnishing and Delivery of Motor Oils, Antifreeze, Greases and Lubricants; and

WHEREAS, bids were received on February 13, 2024 from the following vendors:

Romeo Enterprises Lube 35 Dunbar Ave Roosevelt Ave Piscataway, NJ 08854 NJ 07008	Brenntag Lubricants LLC 1064 Goffs Falls Road Manchester, NH 03111	Prime 800 Carteret,
PetroChoice LLC Kleen Systems, Inc 640 Freedom Business Center Drive Longwater Drive King of Prussia, PA 19604 MA 02061	PPC Lubricants LLC 305 Micro Drive Jonestown, PA 17038	Safety- 42 Norwell,

WHEREAS, the above bids were reviewed by the Division of Purchasing and the Public Works Department, and they have recommended that items shall be awarded as follows:

Line Items shall be awarded as follows:

Brenntag Lubricants LLC: 1-7, 11, 15, 16, 17, 19, 22, 23, 26, 28, 35, 41, 42, and 50

PetroChoice LLC: 8, 9, 10, 12, 13, 14, 18, 21, 30, 31, 36, 37, 38, 39, 44, 47, 48, 49, 51, 53, 54, 56, 59 and 60

PPC Lubricants LLC: 27, 29, 34, 40, 43, 45, 52 and 58

Safety-Kleen Systems, Inc.: 20, 24, 25, 32, 33 and 57

Line Items 46 and 55 received no bids and shall be rebid.

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

1. It hereby awards open-ended contracts for the Furnishing and Delivery of Motor Oils, Antifreeze, Greases and Lubricants to the following vendors, as the lowest responsive, responsible bidders meeting all of the bid specifications: Line Items shall be awarded as follows:

Brenntag Lubricants LLC: 1-7, 11, 15, 16, 17, 19, 22, 23, 26, 28, 35, 41, 42, and 50.

PetroChoice LLC: 8, 9, 10, 12, 13, 14, 18, 21, 30, 31, 36, 37, 38, 39, 44, 47, 48, 49, 51, 53, 54, 56, 59 and 60

PPC Lubricants LLC: 27, 29, 34, 40, 43, 45, 52 and 58

Safety-Kleen Systems, Inc.: 20, 24, 25, 32, 33 and 57

2. Line Items 46 and 55 received no bids and shall be rebid.

3. The Term of Contract shall commence the Date of Award for a period of twelve (12) consecutive months. Pursuant to N.J.S.A. 40A:11-15, these contracts may be extended for no more than one (1) two-year, or two (2) one-year extensions after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

4. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year. The award of these contracts is subject to all the terms and conditions of the bid specifications.

5. The appropriate Township officials are hereby authorized to advertise and receive bids for those items receiving no bids.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) Public Works Department
- e) Police Department
- f) All Aforementioned Bidders

- t. **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 Site Plan Known As Block 1001, Lot 173.04 (28 Third Avenue)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 1001, Lot 173.04.

WHEREAS, Maintenance Bonds have been posted as follows:

1. Maintenance Bond # 7901024609 in the amount \$2,610.00 which represents the 15% Maintenance Guarantee, is accepted and will remain on account to represent the Maintenance Bond;

WHEREAS, the Township Engineer has made an inspection of said Minor Site Plan and finds that all improvements have been satisfactorily completed; and WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and acceptance of Maintenance Guarantees;

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

1. Previously posted Surety Bond in the amount of \$15,660.00 is hereby released;
2. Previously posted Cash Bond in the amount of \$1,740.00 in account

X-19- -601-850 is hereby released;

1. 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. 28 Third Avenue, LLC

Walters Cornerstone Contracting, LLC
500 Barnegat Blvd, Building 100
Barnegat, NJ 08005

- u. **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 255, Lot 11-17 And 33-39 (214 Alabama Avenue & 215 Arkansas Avenue)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 255, Lots 11-17 & 33-39.

WHEREAS, Performance Bonds have been posted as follows:

1. Cash in the amount of \$11,500.00 in account # 4-14- -902-101 is hereby released with applicable interest if any;

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Arya Properties, LLC

130 Central Avenue
Po Box 145
Island Heights, NJ 08732

- v. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Performance Guarantees For A Major Site Plan Known As Block 654.01, Lot 18 (504 Hooper Avenue)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 654.01, Lot 18.

1. Cash Bond in the amount of \$5,500.00 is hereby released with applicable interest;

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:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. Robin Investments, LLC

Counsellors Title Agency
504 Hooper Avenue
Toms River NJ 08753

Attn: Ralph Aponte

- w. **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 578, Lot 10 & 19 (642 Bay Avenue)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 578, Lot 10 & 19.

WHEREAS, Maintenance Bonds have been posted as follows:

1. Cash Bond in the amount of \$13101.00, will remain on account to represent the Maintenance Cash 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 the acceptance of the Maintenance Guarantees;

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) Previously posted Surety Bond #TXHNSU-0784876 in the amount of \$117,909.00 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 to each of the following:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. 578 Bay Ave, LLC

27 Gladney Avenue
Toms River, NJ 08721

- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 444.01, Lot 6,7,8 & 9 (833 Fischer Blvd)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 444.01, Lot 6, 7,8 & 9.

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond # GM231319 in the amount of \$111,060.00 which represents the ninety percent portion of the performance guarantee amount.

2. Surety Bond # GM231320 in the amount of \$5,585.00 which represents the ten percent portion of the performance guarantee amount.
 3. Check in the amount of \$12,340.00 which represents the ten percent portion of the performance guarantee amount.
 4. Check in the amount of \$15,603.31 which represents the Escrow amount.
- NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Hutton Real Estate Holdings, LLC

736 Cherry Street
Chattanooga, TN 37402

- y. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 394, Lot 49.01 (1784 Hooper Avenue)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 394, Lot 49.01.

WHEREAS, Performance Bonds have been posted as follows:

1. Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
2. Check in the amount of \$877.50 which represents the escrow amount for inspection fees.

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

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

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. EAS Hooper Avenue, LLC

1784 Hooper Avenue
Toms River, NJ 08753

- z. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 171, Lot 25.01 (2008 Lakewood Road)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 171, Lot 25.01.

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond # 621-102474-9 in the amount of \$117,540.00 which represents the ninety percent portion of the performance guarantee amount.
 2. Cash Bond in the amount of \$13,060.00 which represents the ten percent portion of the performance guarantee amount.
 3. Surety Bond # 621-102493-8 in the amount of \$6,807.50 which represents the Safety & Stabilization guarantee amount.
 4. Check in the amount of \$18,573.24 which represents the escrow amount for inspection fees.
- NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Emerald 26 Investments, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Emerald 26 Investments, LLC

101 Chase Avenue Suite 301
Lakewood NJ 08701

- aa. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan, Block 172.04, Lot 12 (Lakewood Road)

February 28, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 172.04, Lot 12.

WHEREAS, Performance Bonds have been posted as follows:

1. Cash Bond in the amount of \$39,000.00 which represents the full portion of the performance guarantee amount.
2. Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
3. Check in the amount of \$9,018.51 which represents the

escrow amount for inspection fees.

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

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Muslim Society of Jersey Shore

1732 Lakewood Road
Toms River, NJ 08755

- bb. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To The Annual Amendment To The Interim Settlement Agreement Between Union Carbide Corporation And The Township Of Toms River

FEBRUARY 28, 2024

WHEREAS, the Township Committee and Union Carbide Corporation entered into an Interim Settlement Agreement on June 12, 1997, whereby the parties thereto would cooperate in the investigation and remediation of the closed Dover Township Landfill; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into an Amendment to Interim Settlement Agreement dated July 15, 1999 which postponed future litigation until January 31, 2001 and to toll the statute of limitations until June 11, 2001, or until 30 days' written notice by either party; and

WHEREAS, the Township Committee and Union Carbide Corporation entered

into a Second Amendment to Interim Settlement Agreement dated March 20, 2001, which postponed future litigation until February 1, 2002 and to toll the statute of limitations until May 1, 2002, or until 30 days' written notice by either party; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into a Third Amendment to Interim Settlement Agreement dated February 4, 2002 and March 12, 2002, which postponed future litigation until February 2, 2003 and to toll the statute of limitations until May 3, 2003, or until 30 days' written notice by either party; and

WHEREAS, the Township Committee and Union Carbide Corporation entered into a Fourth Amendment to Interim Settlement Agreement dated February 27, 2003 and April 14, 2003, which postponed future litigation until February 2, 2004 and to toll the statute of limitations until May 3, 2004, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Fifth Amendment to Interim Settlement Agreement dated February 10, 2004 and March 18, 2004, which postponed future litigation until February 2, 2005 and to toll the statute of limitations until May 3, 2005, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Sixth Amendment to Interim Settlement Agreement dated April 12, 2005, which postponed future litigation until February 2, 2006 and tolled the statute of limitations until May 3, 2006, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Seventh Amendment to Interim Settlement Agreement dated April 25, 2006, which postponed future litigation until February 5, 2007 and tolled the statute of limitations until May 3, 2007, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into an Eighth Amendment to Interim Settlement Agreement dated April 10, 2007, which postponed future litigation until February 5, 2008 and tolled the statute of limitations until May 6, 2008, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Ninth Amendment to Interim Settlement Agreement dated March 25, 2008, which postponed future litigation until February 5, 2009 and tolled the statute of limitations until May 6, 2009, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Tenth Amendment to Interim Settlement Agreement dated March 10, 2009, which postponed future litigation until February 5, 2010 and tolled the statute of limitations until May 6, 2010, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into an Eleventh Amendment to Interim Settlement Agreement dated March 10, 2010, which postponed future litigation until February 5, 2011 and tolled the statute of limitations until May 6, 2011, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twelfth Amendment to Interim Settlement Agreement dated May 12, 2011 which postponed future litigation until February 6, 2012, to toll the statute of limitations until May 7, 2012, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Thirteenth Amendment to Interim Settlement Agreement dated April 2,

2013 which postponed future litigation until February 6, 2013, to toll the statute of limitations until May 7, 2013 or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Fourteenth Amendment to Interim Settlement Agreement dated March 6, 2013 which postponed future litigation until February 6, 2014, to toll the statute of limitations until May 7, 2013 or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Fifteenth Amendment to Interim Settlement Agreement dated February 26, 2014; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Sixteenth Amendment to Interim Settlement Agreement dated March 11, 2015 and March 13, 2015, to postpone future litigation until February 8, 2016, to toll the statute of limitations until May 9, 2016, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Seventeenth Amendment to Interim Settlement Agreement dated February 8, 2017, to toll the statute of limitations until May 9, 2017, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into an Eighteenth Amendment to Interim Settlement Agreement dated February 28, 2017, 2018 to postpone future litigation until February 8, 2018, to toll the statute of limitations until May 9, 2018, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Nineteenth Amendment to Interim Settlement Agreement dated February 27, 2018, to postpone future litigation until February 8, 2019, to toll the statute of limitations until May 9, 2019, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twentieth Amendment to Interim Settlement Agreement dated February 13, 2019, to postpone future litigation until February 10, 2020, to toll the statute of limitations until May 11, 2020, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twenty-First Amendment to Interim Settlement Agreement dated February 28, 2020, to postpone future litigation until February 10, 2021, to toll the statute of limitations until May 11, 2021, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twenty-Second Amendment to Interim Settlement Agreement dated March 10, 2021, to postpone future litigation until February 10, 2022, to toll the statute of limitations until May 11, 2022, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twenty-Third Amendment to the Interim Settlement Agreement dated March 9, 2022, to postpone litigation until February 10, 2023, to toll the statute of limitations until May 11, 2023, or until 30 days' written notice by either party; and

WHEREAS, the Township Council and Union Carbide Corporation entered into a Twenty-Fourth Amendment to the Interim Settlement Agreement dated March 8, 2023, to postpone litigation until February 12, 2024, to toll the statute of limitations until May 13, 2024, or until 30 days' written notice by either party; and

WHEREAS, the parties wish to amend that agreement to postpone future litigation until February 12, 2025, to toll the statute of limitations until May 13, 2025, or until 30

days' written notice by either party; and

WHEREAS, a copy of the Twenty-Fifth Amendment to Agreement will be kept on file in the Office of the Township Clerk upon execution;

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 Mayor is hereby authorized to execute and the Township Clerk to attest to a Twenty-Fifth Amendment to Interim Settlement Agreement with Union Carbide Corporation, which will postpone future litigation until February 12, 2025, to toll the statute of limitations until May 13, 2025, or until 30 days' written notice by either party. A copy of this agreement will be kept on file in the Office of the Township Clerk upon execution.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Chief Financial Officer
- f) Engineering Division
- g) Ms. Leanne M. Austrins
Environmental Remediation and Restoration
Remediation Manager
The Dow Chemical Company
633 Washington Ave. 1803 Building
Midland, Michigan 48674
- h) Weslynn Reed, Esq.
The Dow Chemical Company
2211 H.H. Dow Way
Midland, Michigan 48674
- i) Bonnie Barnett, Esq.
Faegre, Drinker, Biddle & Reath
One Logan Square, Suite 2000
Philadelphia, PA 19103
- j) Thomas J. Trautner, Esq.
Chiesa, Shahinian & Giantomasi, PC
105 Eisenhower Parkway
Roseland, NJ 07068

cc. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Waiving Local Review Of Township Budget

February 28, 2024

WHEREAS, The Township of Toms River waives its right to local review of the 2024 Budget even though the Township meets the criteria and qualifies for self review.

WHEREAS, it is necessary to formally request that the Director of the Division of Local Government Services review the Township's 2023 Budget;

NOW, THEREFORE, BE IT RESOLVED that the Township of Toms River is waiving local review of the 2024 Budget and requesting to have the Director of Local Government Services review the Budget. A copy of the Budget will be sent to the Division for their use.

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

- a) Director, Division of Local Government Services (copy of Budget & resolution)
- b) Business Administrator
- c) Township Attorney
- d) Township Auditor
- e) Chief Financial Officer

Dennis Galante, 1149 Cherokee Court, asked if the budget goes to a local finance board and does the town have a CFO.

Mayor Rodrick stated yes that it goes to the DLGS for review like every year prior. That the current CFO is still with the town till the end of the month and that the township is hiring Bowman and Co. LLP for Financial and budgeting consultanting in the interim of getting a new CFO.

Motion: Approve Item CC.

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- dd. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey To Amend The 2024 Temporary Budget Pursuant To N.J.S.A. 40A:4-20

February 28, 2024

WHEREAS, the Township Council of the Township of Toms River passed a 2024 Temporary Budget Resolution on January 1, 2024; and,

WHEREAS, N.J.S.A. 40A:4-20 authorizes the Township Council by resolution adopted by a two-thirds vote of the full membership thereof to make emergency temporary appropriations;

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, that the attached list of 2024 emergency temporary appropriations are hereby approved.

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) Administrator
- b) Township Attorney
- c) Chief Financial Officer
- d) Affected Department Heads

Dennis Galante, 1149 Cherokee Court, asked if this is to amend the temporary budget.

Mayor Rodrick states that the resolution is an extension of the temporary budget.

Motion: Approve Item DD.

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- ee. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Certifying Compliance With The United States Equal Employment Opportunity Commission's "Enforcement Guidance On The Consideration Of Arrest And Conviction Records In Employment Decisions Under Title Vii Of The Civil Rights Act Of 1964," Pursuant To N.J.S.A. 40A:4-5.

February 28, 2024

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Council of the Township of Toms River*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

ff. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Budget Appropriation Reserve Transfers

February 28, 2024

WHEREAS, N.J.S.A. 40A:4-59 permits the Township of Toms River to transfer funds between 2024 Budget Appropriations Reserve accounts during the first three months of the succeeding fiscal year;

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 that the following transfer is made between 2024 Budget Appropriation Reserves, as follows:

	Transfer From	Transfer To
General Appropriations		
Operations - Within "CAPS"		
Insurance - Group Health	\$ 1,015,000.00	
Insurance - Health Waiver		15,000.00
Terminal Leave Salaries		1,000,000.00
	\$ 1,015,000.00	\$ 1,015,000.00

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

- a. Division of Local Government Services
- b. Auditor
- c. Chief Financial Officer
- d. Affected Department Heads

- gg. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Cancel Various Contracts For The Purchase Of Vehicles For The Department Of Public Works And The Police Department From Pellegrino Chevrolet, Nielsen Ford Of Morristown Inc. And Charles S. Winner Inc., And Cancel All Associated Purchase Orders For Same, Effective Immediately

FEBRUARY 28, 2024

WHEREAS, various contracts were awarded in CY 2023 to Pellegrino Chevrolet, Nielsen Ford of Morristown Inc. and Charles S. Winner Inc. for the purchase of vehicles for the Department of Public Works and the Police Department; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to cancel the various contracts for the purchase of vehicles awarded to Pellegrino Chevrolet, Nielsen Ford of Morristown Inc. and Charles S. Winner Inc., effective immediately, and to cancel all associated Purchase Orders, as follows:

1. FURNISHING AND DELIVERY OF THREE (3) 2024 OR NEWER CHEVY SILVERADO 2500 PICKUP TRUCKS, OR EQUAL, WITH THE OPTION TO PURCHASE ONE (1) ADDITIONAL WITHIN ONE (1) YEAR

PO: 23-05081 (3): \$190,965.00

PO: 23-06485 (1): \$60,605.00

Vendor: Pellegrino Chevrolet, 100 Gateway Blvd., Westville, NJ 08093

1. FURNISHING AND DELIVERY OF TWO (2) 2024 OR NEWER CHEVROLET BLAZERS, OR EQUAL, WITH THE OPTION TO PURCHASE TWO (2) ADDITIONAL WITHIN ONE (1) YEAR

PO: 23-06732 (1): \$44,200.00

Vendor: Pellegrino Chevrolet, 100 Gateway Blvd., Westville, NJ 08093

1. 2023 OR NEWER FORD SUPER DUTY F-250 XL 4WD PICKUP VEHICLE OR EQUIVALENT WITH THE OPTION TO PURCHASE ONE (1) ADDITIONAL WITHIN ONE (1) YEAR

PO: 23-04215 (2): \$105,598.00

Vendor: Pellegrino Chevrolet, 100 Gateway Blvd., Westville, NJ 08093

1. 2023 OR NEWER FORD EXPLORER XLT 4WD VEHICLE OR EQUAL

PO: 23-04312 (1): \$49,340.00

Vendor: Nielsen Ford of Morristown Inc., 170 Ridgedale Avenue, Morristown, NJ 07960

1. ONE (1) 2024 OR NEWER FORD F450 CAB & CHASSIS THROUGH STATE CONTRACT #88215

PO: 23-06150 (1): \$87,853.00

Vendor: Charles S. Winner Inc., 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034

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 hereby cancels the various contracts for the purchase of vehicles for the Department of Public Works and the Police Department awarded to Pellegrino Chevrolet, Nielsen Ford of Morristown Inc. and Charles S. Winner Inc., and cancel all associated Purchase Orders, as itemized above, effective immediately.
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) Business Administrator
 - c) Certified Financial Officer
 - d) Township Attorney
 - e) Public Works
 - f) Police Department
 - g) Pellegrino Chevrolet
100 Gateway Blvd.
Westville, NJ 08093
 - h) Nielsen Ford of Morristown, Inc.
170 Ridgedale Avenue
Morristown, NJ 07960
 - i) Charles S. Winner, Inc.
250 Haddonfield-Berlin Road
Cherry Hill, NJ 08034

Councilman Quinlisk asked why are we canceling vehicles that have already been approved and budgeted for.

Council President Coleman replied that the current vehicles do not have much mileage and thinks they are salvagable.

Councilman Quinlisk stated it isn't just the mileages, its the wear and tear put on the vehicle.

Business Administrator Jon Salonis stated the township has vehicles not being used.

Phil Brilliant, Commissioner at MUA, stated you need to plan a year ahead to get these types of vehicles because it is a long process.

Chris Raimann, 111 Flag St., asked are these police vehicles they are canceling. Mayor Rodrick and Administrator Jon Salonis stated that they are not police vehicles and that there is plenty of vehicles in the garage not being used. Jim Wright asked if any of these vehicles were designated to the police department. Mayor Rodrick and Administrator Jon Salonis stated no they are not police vehicles.

Motion: Approve Item GG.
Motion Made By: Justin Lamb
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- No
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- hh. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Issuance Of A New Liquor License To Michael J. Wright

FEBRUARY 28, 2024

WHEREAS, the Township of Toms River has the authority to issue a New Retail Consumption license for the sale of alcoholic beverages; and

WHEREAS, a license was sold at public sale, and the successful bidder was Michael J. Wright; and

WHEREAS, Michael J. Wright has made application for the issuance of that license and paid the necessary fees for such issuance; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the

Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. The Plenary Retail Consumption license is hereby granted to Michael J. Wright, (In Pocket) mailing address 49 Tobago Ave Toms River, NJ 08753, effective February 28, 2024 for the above-referenced (Pocket-inactive), to wit:

1507-33-063-001
Michael J. Wright
49 Tobago Ave
Toms River, NJ 08753

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

- a) Police Department
- b) Chief Financial Officer
- c) Township Attorney
- d) State of New Jersey
Division of Alcoholic Beverage Control
140 E. Front Street
P.O. Box 087
5th Floor
Trenton, N.J. 08625-0087
- e) Michael J. Wright
49 Tobago Ave
Toms River, NJ 08753

- ii. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing Ian Goldman, Esq., Of The Firm Of Levin, Shea, Pfeffer & Goldman, Pa, As Backup Prosecutor For The Township Of Toms River, At The Rate Of \$135.00 Per Hour, Or \$1,000.00 Per Session, For A Total Maximum Amount Not To Exceed \$10,000.00 For Calendar Year 2024, Commencing February 28, 2024 Up To And Including December 31, 2024, And Authorizing The Mayor To Execute And Township Clerk To Attest To An Agreement With Ian Goldman, Esq., Of The Firm Of Levin, Shea, Pfeffer & Goldman, Pa Esq., As Backup Prosecutor

FEBRUARY 28, 2024

WHEREAS, the Township of Toms River has a need to acquire professional legal services for Backup Prosecutor, commencing February 28, 2024 up to and including December 31, 2024; and

WHEREAS, the Township solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. Levin, Shea, Pfeffer & Goldman, PA
2110 W. County Line Road
Suite 2
Jackson, NJ 08527
2. Destribats, Campbell, LLC
247 White Horse Avenue
Hamilton, NJ 08610

WHEREAS, a review of the submitted proposals to the Township Council reveals that the Levin, Shea, Pfeffer & Goldman P.A., law firm is a full service law firm with concentration in business litigation, personal injury law and real estate. They presently are Township Attorney for Lakehurst Borough, they previously represented Lakewood Township as Municipal Prosecutor, Attorney for Lakewood Fire Dist. No. 1, Labor Counsel for Lakewood Twp. Municipal Utilities Authority, Assistant Prosecutor for the Ocean County Prosecutor's Office, and others; and

WHEREAS, the Destribats, Campbell, LLC law firm submitted a proposal dated January 30, 2024 for Backup Prosecutor services for 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 appoints Ian Goldman, Esq., of the law firm of Levin, Shea, Pfeffer & Goldman, PA, as Backup Prosecutor for the Township of Toms River, at the hourly rate of \$135.00 per hour, or \$1,000.00 per session, for a total maximum amount not to exceed \$10,000.00 for calendar 2024 up to and including December 31, 2024, contingent upon adoption of the CY24 budget, availability of funds, and execution of a contract.
2. Funds in the amount not to exceed \$10,000.00 for CY24, are available in Account No. 4-01- -L21-534, contingent upon adoption of the CY24 budget, availability of funds, and execution of a contract.
3. The Mayor is hereby authorized to execute and the Township Clerk to attest to a Professional Services Agreement with Ian Goldman, Esq., of the firm of Levin,

Shea, Pfeffer & Goldman, PA, for Backup Prosecutor services.

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

5. A notice of this action shall be advertised once by the Clerk in the Asbury Park Press.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Certified Financial Officer
- f) Purchasing Division
- g) Municipal Court
- h) Ian Goldman, Esq.
Levin, Shea, Pfeffer & Goldman, P.A.
2110 W. County Line Road
Suite 2
Jackson, NJ 08527

Councilman Quinlisk asked why the township keeps hiring more attorneys.

Township Assistant Attorney Peter Pascarella stated attorneys are need as back up in case of conflicts or not able be present.

jj. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Adjusting And Establishing The Amount Of The 2024 Budget Of Fire District No. 2 Pursuant To N.J.S.A. 40A:14-78.5

FEBRUARY 28, 2024

WHEREAS, on February 17, 2024, the annual election was held for Fire District No. 2, wherein its proposed 2024 budget was submitted to the voters residing in Fire District No. 2 for approval, pursuant to N.J.S.A. 40A:14-72; and

WHEREAS, the budget proposal submitted to the voters was in the amount of \$4,458,026.53, with an amount to be raised by taxation of \$3,826,319.66, as attached hereto as Schedule "A"; and

WHEREAS, the majority of voters of Fire District No. 2 rejected the proposed 2024 budget; and

WHEREAS, the Township Council of the Township of Toms River reviewed the budget pursuant to N.J.S.A. 40A:14-78.5, and finds and determines that the appropriate budget amount for 2024 is \$4,448,026.53, which represents a decrease in the operational budget, and the amount to be raised by taxation established as

follows:

Revenue:	From
Amount to be Raised by Taxation to Support Budget	\$3,816,319.66

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, Ocean County, New Jersey, with a majority of the full membership of the Township Council concurring, as follows:

1. In accordance with N.J.S.A. 40A:14-78.5, the Township Council finds and determines that the appropriate budget for Fire District No. 2 for 2024 is \$4,448,026.53, with the final amount to be raised by taxation to support the 2024 budget established at \$3,816,319.66.

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) Township Attorney
- d) Business Administrator
- e) Certified Financial Officer
- f) Toms River Township Fire District #2
- g) Toms River Township Fire Bureau
- h) Board of Fire Commissioners
- i) Department of Community Affairs
Division of Local Government Services
101 South Broad Street
PO Box 803
Trenton, NJ 08625-0803

Voted on and rescinded until March 13, 2024 Special Meeting to properly notice

Motion: Rescinded Till March 13, 2024

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Reports

10.

Building Department	2024	2023
Building Permits - January	\$424,818.00	\$297,640.00
Building Permits - YTD through January	\$424,818.00	\$297,640.00
Recreation Department	2024	2023
Bey Lea Golf Course- January	\$13,133.07	\$7,381.70
Bey Lea Golf Course- YTD through January	\$13,133.07	\$7,381.70
Winding River Ice Rink- January	\$162,996.99	\$167,300.99
Winding River Ice Rink- YTD through January	\$162,996.99	\$167,300.99

Motion: Approve Township Reports

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Approval of Bills

Township Clerk asked for the Approval of the Bills.

The Bill List dated February 27, 2024, was approved.

Motion: Approve The Bill List

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
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Council Member Lamb - Yes
Council Member Lobman - Yes
Council Member Nivison - Yes
Council Member Quinlisk - Yes
Council Vice-President O'Toole - Yes
Council President Coleman - Yes

The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member **Ciccozzi** - None

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

Purchase Order 24-00881, payable to Borough of Lavallette, in the amount of \$135.00.

Purchase Order 24-00745, payable to Citta, Holzapfel, and Zabarsky, in the amount of \$135.00.

Purchase Order 24-00797, payable to Dasti, McGuckin Attys at Law, in the amount of \$12,434.00.

Purchase Order 24-01031, payable to TR Payroll, Magistrate Salaries, in the amount of \$6,619.23.

Council Member **Nivison** - None

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

Purchase Order 24-00552 payable to Remington & Vernick Engineers, in the amount of \$427.50.

Council Member **Lobman** - None

Council Vice-President O'Toole - None

Council President Coleman - None

Elected Official's Comments

Councilman Lamb thanked the Business Administrator Jon Salonis and Tax Collector Carl Dileo for the Tax Collector's annual report.

Councilman Quinlisk stated the Police Department tried to submitted a grant for CSO program, but it wasn't approved for the agenda tonight.

Councilman Lobman- No comment

Councilman Nivison says he is here to make smart choices with the Township's money.

Councilman Ciccozzi thanked the residents for coming and speaking up for what is important. He is hopeful for the grant to go through to fix Ortleigh Beach's boardwalk. He hopes that the BID's budget gets approved, so we can keep having amazing events downtown. He was confused why there was a Proclamation to be signed for Ron Hubbard Foundation, supporting Scientology.

Council Vice-President O'Toole stated she's here to help the residents, and wished the Council got more respect.

Council President Coleman stated that change is difficult, but they have to make difficult choices to make sure taxes do not go up.

Mayor Rodrick thanked the council for supporting the agenda. He states he wants to make sure that the tax payers money is being spent properly. Rodrick also wanted people to know the negativity being brought up by a few residents, is not the majority of what the town residents want.

Public Comments

Dennis Galante, 1149 Cherokee Court, asked why the Fire Budget wasn't put on as an ordinance and given the proper advertising.

Mayor Rodrick stated that he might have made a mistake and will post it properly if it was handled wrong.

Dennis also asked why the animal shelter is being closed. He feels that the shelter is clean and really taken care of.

Mayor Rodrick stated that they are all rumors, he has no plans on closing the shelter and was just looking into maybe having the County take it over.

Jillian Messina asked the Council to look into having a high school program to help the shelter. The kids would get credits and volunteer time for helping the shelter. She also brought up the CSO Grant that the Council didn't apply for. She doesn't understand why they would make position cuts and not even apply for grant funding.

Donna Serchio, 601 Main St., states she is confused about the deficit they keep mentioning. She states there is a surplus and everything was budgeted last year. She hopes that the town continues to pay BID, because she loves all the Downtown events and how they help small businesses.

Debbie Curci, 32 Bartine Street, asked the council not to make any decisions on the animal shelter without asking the residents first. She also discussed flooding in her neighborhood. Mayor Rodrick stated he was looking to do what he could with the roads.

Julie Admek, 69 Cedar Grove Rd, feels the animal shelter is grossly understaffed, but the facility and animals are well taken care of. Believes that the high school should have a program to help support the animal shelter for volunteer credits. Edken Ave & Charlies Dr in Toms River need to be repaved.

Mairin Bennett, Executive Director of BID, mentioned the Irish festival was going to be held on March 2, 2024 downtown.

Phil Brilliant, had questions about minutes. He wanted to know why the youtube videos of the council meetings were removed and will they be posting them back, and are they putting together a task force. Councilman Nivison stated they have not yet started a task force. Phil asked if they will rebid for the siding at Bey Lea.

Mayor Rodrick says no they will have staff do the siding and put the money toward something for recreation.

Phil also mentioned that he will be handing in the petitions on Monday to repeal the Law Enforcement ordinance.

Anthony Deveka, 60 Main St., stated rather pay more in taxes then keep making cuts. He doesn't agree with cutting the police force. He also mentioned the boy scout helping at the animal shelter for badges, and start advertising the animal shelter on social media more.

Irene Watson, Messenger St, discussed the letters that were mailed out by the Mayor about the Police Department.

Bob Watson, Messenger St., congrats to the mayor and council on the last election. He is glad they are taking on hard issues, and agrees with the town about CSO/Emt program.

Linda Scott, says Toms River is a large town and needs the shelter for all the abandon animals. She works for a rescue and wants the shelter to stay open, and is worried about all the staff that do so much for these animals.

Michael Cohen, Stark Rd., spoke about the euthanasia rates in Ocean County vs. Toms River Animal Shelter, and the Counties number is much higher then the towns. He is strongly against the County taking over the animal shelter. He states that the county only takes cats and dogs, where the township takes cats, dogs and exotic animals. He works part-time at the Toms River Animal Shelter and takes pride in what he does.

Amy Wurst, Kilkormic St, volunteer at the animal shelter, stated that they haven't always done it by appointment only, that started with covid. She asked rather than out sourcing maybe keep the success going and get more help to make the shelter great.

Crystal Hendricks asked what animals have been there over a year. She says they are understaffed and work hard to make the shelter look amazing.

Cathy Lazaro spoke of the old animal shelter that was in horrible conditions. She said it took many years to get this shelter running, and is upset if they are going to out source it to the County.

Sal Fiore, 1901 Merrimac Dr., want to start a party bike business in ortley. He says he would like to operate as soon as possible.

Mayor Rodrick asked him to send him an email.

Dana Tormallon, Messenger St., asked why there is a bid on township website for the animal shelter. She questioned if the Special Meeting request were being done up to code.

Assistant Attorney Anthony Merlino stated they are not breaking the law by having a special

meetings.

Carlos Amizar, Winteringham Village, feels like the council meetings are a show. Council should work together and communicate. He would like to meet with the Council and Mayor to figure out how to work together.

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

No other business appearing, the meeting was **adjourned** at 9:47 PM on motion with Council Member Lamb, seconded by Council Member Lobman, and carried with Council Members, Ciccozzi, Nivison, Quinlisk, Council Vice-President O'Toole and Council President Coleman voting yes.

EXHIBIT F

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Wednesday, March 13, 2024 7:00 PM

1. **Meeting called to order.**

A **Special Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 7:00 PM.

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

2. **Flag salute.**

3. **Open Public Meetings Act statement.**

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

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Friday, **March 8, 2024**, the Star Ledger and also posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk. This meeting was also posted on the Township web page.

4. **ROLL CALL:**

CICCOZZI	Present
LAMB	Present
LOBMAN	Present

NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

5. **Minutes:** February 28, 2024 Regular Meeting

Motion: Approve February 28, 2024 Meeting Minutes

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

6. **Honoring Resolutions and Presentations:**

None

Resolutions

7. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Adjusting And Establishing The Amount Of The 2024 Budget Of Fire District No. 2 Pursuant To N.J.S.A. 40A:14-78.5

March 13, 2024

WHEREAS, on February 17, 2024, the annual election was held for Fire District No. 2, wherein its proposed 2024 budget was submitted to the voters residing in Fire District No. 2 for approval, pursuant to N.J.S.A. 40A:14-72; and

WHEREAS, the budget proposal submitted to the voters was in the amount of \$4,458,026.53, with an amount to be raised by taxation of \$3,826,319.66, as attached hereto as Schedule "A"; and

WHEREAS, the majority of voters of Fire District No. 2 rejected the proposed 2024 budget; and

WHEREAS, the Township Council of the Township of Toms River reviewed the budget pursuant to N.J.S.A. 40A:14-78.5, and finds and determines that the appropriate budget amount for 2024 is \$4,448,026.53, which represents a decrease in the operational budget, and the amount to be raised by taxation established as

follows:

Revenue:	From
Amount to be Raised by Taxation to Support Budget	\$3,816,319.66

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, Ocean County, New Jersey, with a majority of the full membership of the Township Council concurring, as follows:

1. In accordance with N.J.S.A. 40A:14-78.5, the Township Council finds and determines that the appropriate budget for Fire District No. 2 for 2024 is \$4,448,026.53, with the final amount to be raised by taxation to support the 2024 budget established at \$3,816,319.66.
2. WHEREAS, pursuant to N.J.S.A. 40A:14-78.5b, a notice of this special Township Council meeting was advertised in the Asbury Park Press and the Star Ledger on Friday, March 8, 2024.

3. 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) Township Attorney
 - d) Business Administrator
 - e) Certified Financial Officer
 - f) Toms River Township Fire District #2
 - g) Toms River Township Fire Bureau
 - h) Board of Fire Commissioners
 - i) Department of Community Affairs
Division of Local Government Services
101 South Broad Street
PO Box 803
Trenton, NJ 08625-0803

Motion: Approve Item 7. Resolution

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Abstained
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

8. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Introducing, Approving, And Establishing The Date For A Public Hearing On The 2024 Toms River Special Improvement District Budget

March 13, 2024

WHEREAS, pursuant to N.J.S.A. 40:56-84a, the Toms River Township Special Improvement District Budget submitted to the Township Council its 2024 budget, as set forth in Schedule "A", attached hereto and incorporated by reference; and;

WHEREAS, N.J.S.A. 40:56-84c mandates a public hearing on this budget within specified time frames;

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

1. It hereby introduces the Toms River Business Improvement District Budget for 2024 as:

S01 Ratables	\$171,932,000
S02 Ratables	\$ 61,812,100

Total 2024 Revenue to be raised by taxation

S01 Budget	\$257,400.00
S02 Budget	\$ 28,600.00

S01 Proposed 2024 Tax Rate	\$0.150
S02 Proposed 2024 Tax Rate	\$0.047

2. Public hearing of the Budget shall be held at the Toms River Township Council Meeting to be held: Wednesday, April 24, 2024 at 7:00 p.m.

Toms River Municipal Building

33 Washington Street

Toms River, NJ 08753

L. Manuel Hirshblond Meeting Room

At which time the public shall be heard and at which time the Township Council shall consider said Budget for final adoption. Formal action may be taken.

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

- a) Chief Financial Officer
- b) Township Attorney
- c) Township Auditor
- d) Tax Assessor
- e) Tax Collector
- f) Division of Local Government Services
101 S. Broad Street
P. O. Box 803
Trenton, NJ 08625-0803
- g) Ocean County Board of Taxation
118 Washington Street
Toms River, New Jersey 08753
- h). Toms River Business Improvement District
Toms River Business Development Corporation
53 Main Street
Toms River, NJ 08753

4. The Municipal Clerk shall advertise this resolution, in its entirety, as public notice of its introduction and as public notice of the hearing.

Motion: Approve Item 8. Resolution

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- Abstained
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

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.

9. Consent Items

Motion: Approve All The Following Items Listed On The Consent Agenda Except Items B and C for Roll Call and Discussion

Motion Made By: Lynn O'Toole

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of Pool Inspection And General Engineering Services For Calendar Year 2024

MARCH 13, 2024

WHEREAS, the Township of Toms River has a need to acquire professional pool inspection and general engineering services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited qualifications, for these services in accordance with the Fair and Open Process, pursuant to the provisions of *N.J.S.A. 19:44A-20.4 et. seq.*; and

WHEREAS, proposals were sought by way of public notice seeking such services, with successful candidates to be placed on an approved list for the calendar year 2024 to render services described above at the following rates:

Principal Engineer	\$180.00/hr.
Project Manager (PE)	\$175.00/hr.
Design Engineer (EIT)	\$140.00/hr.
Design Engineer	\$123.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$155.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$145.00/hr.
Senior Designer	\$105.00/hr.
Computer Technician	\$105.00/hr.
Engineering Technician	\$105.00/hr.
Survey Technician	\$ 90.00/hr.
Senior CADD Operator	\$105.00/hr.
CADD Operator	\$ 90.00/hr.
Field Survey Crew	\$185.00/hr.
Senior Inspector	\$117.00/hr.
Inspector Level 1	\$ 68.00/hr.
Inspector Level 2	\$ 96.00/hr.

Secretary/Clerical	\$ 45.00/hr.
Delivery	\$ 45.00/hr.
Prints	\$ 0.35/sq.ft.
Mylars	\$ 1.70/sq.ft.
Cloths	\$ 2.40/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost; and

WHEREAS, the following firms submitted conforming qualifications which were publicly opened and read on February 9, 2024:

1. Bright View Engineering, 70 S. Orange Avenue, Suite 109, Livingston, NJ 07039
2. CME Associates, 1460 Route 9 South, Howell, New Jersey 07731
3. Morgan Engineering, LLC/Morgan Municipal Services, LLC, PO Box 5232, Toms River, NJ 08754
4. Remington & Vernick Engineers, 2059 Springdale Road, Cherry Hill, NJ 08003
5. Van Cleef Engineering, 32 Brower Lane, Hillsborough, NJ 08844
6. ACT Engineers, 1 Washington Boulevard, Suite 3, Robbinsville, NJ 08691
7. French & Parrello Associates, 1800 Route 34, Suite 101, Wall, NJ 07719
8. Owen, Little & Associates, Inc., 443 Atlantic City Blvd., Beachwood, NJ 08722
9. T & M Associates, 1144 Hooper Avenue, Suite 202, Toms River, NJ 08753
10. ARH, 215 Bellevue Avenue, PO Box 579, Hammonton, NJ 08037
11. Keystone Engineering Group Inc., 3836 Quakerbridge, Suite 103, Hamilton, NJ 08619
12. Alaimo Group, 200 High Street, Mount Holly, NJ 08060
13. LAN Associates, 445 Godwin Ave., Suite 9, Midland Park, NJ 07432
14. Schaeffer, Nassar Scheidegg Consulting Engineers, 1425 Cantillon Blvd., Mays Landing, NJ 08330
15. Colliers Engineering & Design, 101 Crawfords Corner Road, Suite 3400, Holmdel, NJ 07733

WHEREAS, the Bright View Engineering firm has previously provided satisfactory work for the Township of Toms River; and

WHEREAS, CME Associates has extensive experience as a municipal engineer throughout the County of Ocean, and various counties in NJ, and has previously been retained by the Township of Toms River for various projects; and

WHEREAS, Morgan Engineering & Surveying represents Manchester Twp, Berkeley Township Sewer Authority, Berkeley Twp., Barnegat Twp., Brick Twp., and Bridgewater Twp., and they have previously provided satisfactory work for Toms River Township; and

WHEREAS, the firm of Remington & Vernick Engineers has previously provided satisfactory work for Toms River Township; and

WHEREAS, the Van Cleef Engineering firm represents various municipalities, counties and governmental entities for which Van Cleef provides consulting engineering services, i.e. Township of Lacey, Borough of Lavallette, Borough of Seaside Heights, Borough of Point Pleasant Beach, Borough of Island Heights, Borough of South Toms River, etc.; and

WHEREAS, the ACT Engineers firm has been providing services for more than 31 years. Their clients include public, private, institutional and municipalities such as Ocean City, Stafford Township, Brick Township, West Windsor Township, East Windsor Township, Robbinsville Township, Lawrence Township, Bordentown Township and Hamilton Township; and

WHEREAS, French & Parrello Associates is experienced with public sector capital projects, such as the expansion of the Ocean County Library and has provided competent and professional services to the Township; and

WHEREAS, the firm of Owen, Little & Associates is currently the Toms River Township Board of Adjustment Engineer and is familiar with approved and pending projects; and

WHEREAS, T & M Associates has previously provided satisfactory work for Toms River Township, and

WHEREAS, the ARH engineering firm represents Brick Twp, Neptune Twp., Eatontown, Robbinsville, Atlantic Highlands, Holmdel, Parsippany Twp, Irvington, Monmouth and Ocean counties, and provides civil engineering, surveying, planning, environmental sciences, and geospatial information systems (GIS); and

WHEREAS, the Keystone Engineering firm has provided services to North Bergen Municipal Utilities Authority, Township of Parsippany-Troy Hills, Philadelphia Gas Works and Essex and Union Counties; and

WHEREAS, the firm of Alaimo Group has previously provided satisfactory and professional work for Toms River Township; and

WHEREAS, LAN Associates has more than 59 years of experience providing architectural and engineering services for public client. They currently work with various public clients to provide design services for projects that improve the physical condition and create spaces that engage the end user; and

WHEREAS, the Schaeffer Nassar firm, as municipal engineer, municipal planner and planning board/zoning board engineer in various South Jersey municipalities, most recently Buena Vista Twp, City of Ocean City, Corbin City and the Twp. Of Franklin, provide various services; and

WHEREAS, the Colliers firm is a full-service architecture and engineering firm with licensed professionals and experts in nearly all of the categories defined in the RFQ, with over 2,600 staff, including licensed architects, engineers, landscape architects

and land surveyors. They have performed work for the Township and their services have been found to be satisfactory and professional;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to contracts commencing retroactive to March 1, 2024 up to and including December 31, 2024, with the following firms:

1. **T & M Associates**
2. **Alaimo Group**
3. **Remington & Vernick Engineers**
4. **Morgan Engineering LLC/Morgan Municipal Services, LLC**
5. **French & Parrello Associates**
6. **CME Associates**
7. **Owen, Little & Associates, Inc.**
8. **ARH Associates**
9. **Colliers Engineering & Design,**

for inspection and general engineering services at the following rates:

Principal Engineer	\$180.00/hr.
Project Manager (PE)	\$175.00/hr.
Design Engineer (EIT)	\$140.00/hr.
Design Engineer	\$123.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$155.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$145.00/hr.
Senior Designer	\$105.00/hr.
Computer Technician	\$105.00/hr.
Engineering Technician	\$105.00/hr.
Survey Technician	\$ 90.00/hr.
Senior CADD Operator	\$105.00/hr.
CADD Operator	\$ 90.00/hr.
Field Survey Crew	\$185.00/hr.
Senior Inspector	\$117.00/hr.
Inspector Level 1	\$ 68.00/hr.
Inspector Level 2	\$ 96.00/hr.
Secretary/Clerical	\$ 45.00/hr.
Delivery	\$ 45.00/hr.
Prints	\$ 0.35/sq.ft.
Mylars	\$ 1.70/sq.ft.
Cloths	\$ 2.40/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost; and

BE IT FURTHER RESOLVED this award contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

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. Rodick
- b) Township Council
- c) Business Administrator
- d) Township Attorney
- e) Engineering
- f) All Aforementioned Engineering Firms

- b. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Professional Service Contract To Cme Associates, To Conduct A Roadway Elevation Study Within The Township Of Toms River, For A Total Maximum Contract Amount Not To Exceed \$100,000.00 For Cy2024

MARCH 13, 2024

WHEREAS, the Township of Toms River has a need to acquire professional inspection and general engineering services to conduct a Roadway Elevation Study within the Township of Toms River; and

WHEREAS, resolution of the Township Council dated March 13, 2024, authorized the firm of CME Associates be put on a pre-approved list for the calendar year 2024 for inspection and general engineering services, commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the following rates:

Principal Engineer	\$180.00/hr.
Project Manager (PE)	\$175.00/hr.
Design Engineer (EIT)	\$140.00/hr.
Design Engineer	\$123.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$155.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$105.00/hr.
Senior Designer	\$105.00/hr.
Computer Technician	\$105.00/hr.
Engineering Technician	\$105.00/hr.
Survey Technician	\$ 90.00/hr.

Senior CADD Operator	\$105.00/hr.
CADD Operator	\$ 90.00/hr.
Field Survey Crew	\$185.00/hr.
Senior Inspector	\$117.00/hr.
Inspector Level 1	\$ 68.00/hr.
Inspector Level 2	\$ 96.00/hr.
Secretary/Clerical	\$ 45.00/hr.
Delivery	\$ 45.00/hr.
Prints	\$ 0.35/sq.ft.
Mylars	\$ 1.70/sq.ft.
Cloths	\$ 2.40/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

subject to the execution of a contract, the availability of funds, and the adoption of the CY24 budget, for the period commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, CME Associates, has submitted a Proposal No. 2024-052 dated February 22, 2024 for the Roadway Elevation Study Project, in the total contract amount not to exceed \$100,000.00; and

WHEREAS, the Township Engineer has reviewed the Proposal submitted by CME Associates, and has recommended award of contract to CME Associates for this project;

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

1. It hereby authorizes a contract with the firm of CME Associates, to perform all professional services for the Roadway Elevation Study Project, in the total contract amount not to exceed \$100,000.00, in accordance with their Proposal dated February 22, 2024, Proposal No. 2024-052, at the following rates:

Principal Engineer	\$180.00/hr.
Project Manager (PE)	\$175.00/hr.
Design Engineer (EIT)	\$140.00/hr.
Design Engineer	\$123.00/hr.
Professional Land Surveyor (PLS) (As a principal or partner)	\$155.00/hr.
Professional Land Surveyor (PLS) (As an associate)	\$105.00/hr.
Senior Designer	\$105.00/hr.
Computer Technician	\$105.00/hr.
Engineering Technician	\$105.00/hr.
Survey Technician	\$ 90.00/hr.
Senior CADD Operator	\$105.00/hr.
CADD Operator	\$ 90.00/hr.
Field Survey Crew	\$185.00/hr.
Senior Inspector	\$117.00/hr.
Inspector Level 1	\$ 68.00/hr.

Inspector Level 2	\$ 96.00/hr.
Secretary/Clerical	\$ 45.00/hr.
Delivery	\$ 45.00/hr.
Prints	\$ 0.35/sq.ft.
Mylars	\$ 1.70/sq.ft.
Cloths	\$ 2.40/sq.ft.
Subcontract Services	120% of cost
Expenses	At cost,

for a total project amount not to exceed \$100,000.00.

All paperwork in connection with this project is on file in the Engineering Division. Contract term: Commencing retroactive to March 1, 2024 through December 31, 2024

2. Funds in the maximum amount not to exceed \$100,000.00, are available in Account No. X-04- -261-098. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

3. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement with the firm of CME Associates. A copy of the Agreement and Proposal dated February 22, 2024 shall be attached to this resolution as Schedule "A", and made a part hereof.

4. A notice of this contract award shall be published within 10 days of the date of this Resolution, in the Asbury Park Press.

5. 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) Purchasing Division
- d) Certified Financial Officer
- e) Township Attorney
- f) Engineering
- g) CME Associates
1460 Route 9 South
Howell, NJ 07731

Mayor Rodrick thanked the Council for adding this resolution to the agenda, so they can access what roads need to be addressed right away.

Motion: Approve Item B.

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes

Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

- c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing To Replace The Chief Financial Officer, Judith Tutela, With Business Administrator, Jonathan Salonis, As The Signer Of Checks For All Sums Of Money To Be Paid By The Township Of Toms River Effective March 23, 2024

MARCH 13,
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 to replace Chief Financial Officer, Judith Tutela, with Business Administrator, Jonathan Salonis, as the signer of checks for all sums of money to be paid by the Township of Toms River effective March 23, 2024.

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. Township Attorney
- d. Business Administrator
- e. Township Clerk
- f. Chief Financial Officer
- g. Township Auditor

Councilman Ciccozzi asked if this resolution is just temporary and if so for how long. Township Attorney McGuckin stated that the Business Administrator can be the signer on township checks since the CFO is leaving.

Ciccozzi asked if when they hire a new CFO will the Business Administrator still have the right to sign checks.

Mayor Rodrick said the CFO will take over signing checks but the Mayor and Administrator will still have the authority to do so if needed.

Motion: Approve Item C.
Motion Made By: Lynn O'Toole
Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	- No
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

Approval of Bills

The Township Clerk asked for the Approval of the Bills.

The Bill List dated March 7, 2024, was approved.

Motion: Approve of the Bill List
Motion Made By: Lynn O'Toole
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

The following respective exceptions to their votes were noted as abstentions to this vote:

Council Member **Ciccozzi** - None

Council Member Lamb abstained due to Business conflicts on the following:
Purchase Order 24-01265, payable to TR Payroll, Magistrate Salaries, in the amount of \$6,619.23.

Council Member **Lobman** - None

Council Member **Nivison** - None

Council Member Quinlisk abstained due to Business conflicts on the following:
Purchase Order 24-01266 payable to Board of Fire Commissioners, in the amount of \$1,403,247.11.
Purchase Order 24-00169 payable to TEC Elevator, in the amount of \$725.00.

Council Vice-President O'Toole - None

Council President Coleman - None

Elected Official's Comments

Councilman Lamb thanked the Fire Commissioners in his ward that helped with a recent fire, and Laura Picurro for helping the family get back on their feet.

Councilman Quinlisk- No comment

Councilman Lobman- No Comment

Councilman Nivison thanked residents for their continued support.

Councilman Ciccozzi was happy to see so many residents at the meeting and hopes that more will come. He stated that he was sad to hear another good employee was leaving. He spoke about how much work the Business Improvement District does for Toms River Township. Councilman Ciccozzi wanted to commend Congressman Cory Mills on saving so many Americans from the chaos in Haiti. He asked if they can put a proclamation together for former Mayor Richard Starda who recently passed away. He also talked about grants and how he is worried about how the town is being run.

Council Vice-President O'Toole- No comment

Councilman Coleman stated he will work with the Mayor to bring Founder's Day back, and he will make sure they get a Proclamation for former Mayor Richard Strada.

Mayor Rodrick feels Ciccozzi should have abstained from the BID's Budget since he owns property downtown, and he thanked the BID for negotiating their budget and trying something new.

Public Comments

Mairin Bennett, Business Improvement District Director, stated with the Mayor and Council's help that BID will hold 68 events and 5 firework shows, and thanked them for their support.

Chuck Laing, 37 Cedar Dr., asked if the road contract go out for bid. Mayor Rodrick stated a pool of engineers were appointed. Township Attorney McGuckin explained the RFP process and why it is important to have a pool. Mayor Rodrick said there were 9 engineering companies appointed tonight.

Chuck also asked what are some of the benefits for a Commercial business being involved with the Business Improvement district, such a tax reduction.

Attorney McGuckin said special legislation was created for certain townships, and we are not one of them. Mairin Bennett, Director of BID, gave her card if he had any questions about the process and what benefits would be offered.

Paul Hulse, 377 Kettle Creek, CEO of Just Believe, discussed all the work Just Believe does for the homeless and how he would love it if the town could have a permanent shelter. He stated they do more than just give them shelter but teach them how to live on their own and find work.

Anthony 1972 Bay Blvd. Ortleby Beach, said he is not happy with the new kayak racks at bayside park.

Mayor Rodrick stated they will be moved behind the tennis courts. That he is trying to be more responsive to the wants of ortley beach.

Anthony asked that they please meet with the residents before making a decision, he has concerns about them being moved behind the tennis courts also.

Councilman Lamb announced the OBTA meeting is April 20, but he will also stay after the meeting to discuss some ideas for Ocean Beach residence.

Gary Zampella, 310 3rd Ave, appreciates the racks but has some concerns. He doesn't want the swing set moved back and doesn't want it to just become a storage place.

Mayor Rodrick stated he is just looking for more recreational ideas for the township.

Michelle Volpe, 15 Tunney Terrace, states she does not want roads raised, that it caused more floods last time they raised the roads.

Mayor Rodrick informed her that the resolution is for a Engineer Company to come to access what needs to be done on roads to prevent flooding.

Paul Williams, Broad St, quoted Justice Louis Brandeis that government officials be subjected to the same rules of conduct as the citizens. He feels his actions were due to the conduct of Council members actions.

Lisa Calicchio, 19 2nd Ave, concerned about the kayak racks and where they will be placed.

She also inquired about the seasonal curfew, and if it could be more of a permanent curfew.

Township Attorney McGuckin recommends not having a permanent curfew because of the legality of it, and it would really be up to emergency management.

Robert Tormollan, 109 Messenger St., asked for more copies of the bill list for the meetings. He also said he was upset about a comment the Mayor made in an email.

Chris Raymond, 111 Flag St., commended the Fire Co. for their hard work at the recent fire, and also the Police Dept. He said the Mayor statement about Captains not responding to calls is not true. He is upset about cuts being made and he is excited about the petitions repealing the law enforcement ordinance.

Dana Tormollan, Messenger St., thanked the people from the animal shelter for all their hard work and hospitality. She stated the employees and shelter deserve respect, and would like to

know where the 1 million dollar donation to the animal shelter went.

Dennis Galante, 1149 Cherokee, wants to know why the agenda wasn't posted. He thanked Councilman Ciccozzi for supporting the animal shelter, and asked how he can get the temporary budget since it was not posted to the township website.

Mike Cohen, Stark Rd., Part-time Toms River Animal Shelter employee, says he feels the mayor is attacking the staff at the animal shelter. He let the council know that there was 43 animals adopted this year not 50, and at this time last year 58 animals were adopted with fees.

Julie Admek, 69 Cedar Grove Rd., asked the council and mayor to address littering in Toms River Township. Possible have a cleanup day to clean the town. She feels the animal shelter needs a sign on both sides of the street. Julie asked when will the shelter start taking in animals again, and if the County takes over who will handle animal control and will the response time be longer now.

Robert Gray, 316 3rd Ave, states he lives directly across from the tennis courts, and is glad to hear the kayak racks are being moved. He feels the residents should have a say in where they are moved to.

Councilman Lamb talked about the need for more kayak racks to make it safe and easier for the residents

Robert Burns, 531 Lillie Rd., wants the residents to give the Mayor more time to prove he is worthy of the position.

Carlos Amizar, Winteringham Village, said he wished some of the council came to the neighborhood watch meeting. He feels crime is up and we need more police.

Motion: Close Public Comment

Motion Made By: Thomas Nivison

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	- Yes
Council Member Lamb	- Yes
Council Member Lobman	- Yes
Council Member Nivison	- Yes
Council Member Quinlisk	- Yes
Council Vice-President O'Toole	- Yes
Council President Coleman	- Yes

No other business appearing, the meeting was **adjourned** at 8:30 PM on motion with Council Member Lamb, seconded by Council Member Lobman, and carried with Council Members,

Ciccozzi, Nivison, Quinlisk, Council Vice-President O'Toole and Council President Coleman voting yes.

EXHIBIT G

app.

ANIMALS

Toms River council dumps mayor's plan to privatize animal control

Two-minute read



Jean Mikle

Asbury Park Press

Published 5:17 a.m. ET March 29, 2024 | Updated 5:17 a.m. ET March 29, 2024

TOMS RIVER - The Township Council rejected a plan to privatize animal control here, voting to table a resolution that would have hired a Howell company to pick up stray cats and dogs.

The council chose to indefinitely table a resolution that would have appointed A-Academy Termite & Pest Control to deal with Toms River's stray animals. The company would have replaced the township's four animal control officers, who also work at Toms River's animal shelter, and was supported by Mayor Daniel Rodrick.

"I think we should table this for more consideration," Councilman Thomas Nivison said. "Termite and pest control? That is exterminators in my book. ... I know animal control officers do an excellent job."

"I have to go with my heart on this one too," Council Vice President Lynn O'Toole said. "I am going to vote to table this also."

Toms River: Council reverses police captain job cuts; mayor says he'll just skip promotions

The council tabled the resolution following impassioned pleas by several residents, including two animal control officers.

Some questioned A-Academy's ability to handle Toms River's animal control needs, noting the company already provides similar services to eight other towns, including Long Beach Township and Little Egg Harbor. Stafford briefly hired the company after losing two of its

animal control officers in 2022, but then switched back to in-house animal control shortly afterwards after repeated complaints by residents.

"There was an outcry from their citizens," said Allen Albano, a Toms River animal control officer who previously worked in Stafford. "The service took a major step backwards. ... The outcry from the public regarding public safety, above all else, was their main concern."

Albano said A-Academy only has two animal control officers to handle the eight towns it covers, and residents complained of waiting up to two hours for an animal control officer to arrive. The company also doesn't handle injured or ill wildlife, which are picked up now by Toms River animal control, he said.

Downtown development: Toms River must decide on four-story downtown apartment building with retail space

"Privatizing animal control means no oversight and no transparency for our animals," said Toms River resident Susan Kearney. "These are pest control companies, there are many that have horrible reputations. ... Please, please, let's keep our animal control officers with the town, it is the best for the animals."

The council did agree to a lease agreement with the Ocean County Board of Health for Toms River's animal shelter, the first step toward having the county take over shelter operations here.

Lakewood: Guilty plea: Lakewood man admits conspiring with Eliyahu 'Eli' Weinstein in 'Ponzi' scheme

The township will lease the Oak Avenue shelter for \$1 a year to the county. Rodrick has argued that the county will do a better job getting animals adopted than the Toms River shelter, although opponents of the county taking over the shelter claim Ocean County has a higher euthanasia rate than Toms River's shelter.

Toms River is one of only four towns in New Jersey to have its own shelter.

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, March 27, 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:** Special Council Meeting on March 13, 2024
6. **Honoring Resolutions and Presentations:**
 - a. National Library Week

Certification of Township Clerk Pursuant N.J.S.A. 40:69A-187

Ordinances - Final Readings

7. **ORDINANCE** To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank
(N.J.S.A. 40A: 4-45.14)

Resolutions

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.

8. 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, Authorizing Award Of Contract For The 2024 On-Call Dune And Walkover Repair Project To Earle Asphalt Company, As The Lowest Bidder Meeting All The Bid Specifications, In The Total Contract Amount Not To Exceed \$314,813.13 (CONST-2024-102)
 - c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Budget Appropriation Reserve Transfers
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Joint Purchasing Agreement With The County Of Ocean And Toms River Township, With Music Management Associates C/O Frank Hughes, For The 2024 Summer Concert Series, For Seven (7) Concerts With Various Bands, In The Total Amount Not To Exceed \$10,000.00
 - e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 397.02, Lot 2 (1854 Hooper Avenue)

Reports

9.	Building Department	2024	2023
	Building Permits - February	\$405,061.00	\$307,992.00
	Building Permits - YTD through February	\$801,002.00	\$596,126.00
	Recreation Department	2024	2023
	Bey Lea Golf Course- February	\$20,192.51	\$8,926.30
	Bey Lea Golf Course- YTD through February	\$33,325.88	\$16,308.00
	Winding River Ice Rink- February	\$138,552.00	\$102,352.05
	Winding River Ice Rink- YTD through February	\$301,548.99	\$287,653.04

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Wednesday, March 27, 2024 7:00 PM

1. Meeting called to order.

A Regular Meeting of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 7:04 PM.

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

Both Members of council Coleman and Ciccozzi asked for moments of silence for the Baltimore bridge incident and for a fallen NYPD officer.

2. Flag salute.

3. Open Public Meetings Act statement.

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

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Thursday, January 4, 2024, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Tuesday January 2, 2024, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, January 1, 2024. The meeting dates have also been posted on the Township web page.

4. ROLL CALL:	
CICCOZZI	<u>Present</u>
LAMB	<u>Present</u>
LOBMAN	<u>Present</u>
NIVISON	<u>Present</u>
QUINLISK	<u>Present</u>
O'TOOLE	<u>Present</u>
COLEMAN	<u>Present</u>

5. **Minutes:** Special Council Meeting on March 13, 2024

6. **Honoring Resolutions and Presentations:**

a. National Library Week

**Township of Toms River
Proclamation
April 7, 2024**

WHEREAS, the week of April 7 - 13, 2024 has been proclaimed as National Library Week in Ocean County; and
 WHEREAS, libraries adapt to the ever-changing needs of their communities, developing and expanding collections, programs, and services that are as diverse as the populations they serve; and
 WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals;
 WHEREAS, libraries offer the opportunity for everyone to connect with others, learn new skills, and pursue their passions, no matter where they are on life's journey; and
 WHEREAS, libraries have long served and trusted institutions, striving to ensure equitable access to information and services for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identity, or socio-economic status; and
 WHEREAS, libraries adapt to the ever-changing needs of their communities, developing and expanding collections, programs, and services that are as diverse as the populations they serve; and
 WHEREAS, libraries are accessible and inclusive places that promote a sense of local connection, advancing understanding, civic engagement, and shared community goals; and
 WHEREAS, libraries play a pivotal role in economic development by providing resources and support for job seekers, entrepreneurs, and small businesses, thus contributing to local prosperity and growth; and
 WHEREAS, libraries make choices that are good for the environment and make

sense economically creating thriving community for a better tomorrow; and WHEREAS, libraries are treasured institutions that preserve our collective heritage and knowledge, safeguarding both physical and digital resources for present and future generations; and

WHEREAS, libraries are an essential public good and fundamental institutions in democratic societies, working to improve society, protect the right to education and literacy, and promote the free exchange of information and ideas for all; and

WHEREAS, libraries, librarians, and library workers are joining library supporters and advocates across the nation to celebrate National Library Week; and

NOW, THEREFORE, be it resolved that I, Mayor Daniel T. Rodrick and the Township Council, proclaim April 7 - 13, 2024 as National Library Week. During this week, I encourage all residents to visit their library and celebrate the adventures and opportunities they unlock for us every day. Ready, Set, Library.

Mayor and Council Presented Proclamation to Taya Petino of the Toms River Branch of the Ocean County Library.

Certification of Township Clerk Pursuant N.J.S.A. 40:69A-187

Council President Coleman asked for a moment of silence for the passing of Senator Joe Lieberman

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

I am the Municipal Clerk of the Township of Toms River, and as such have the responsibility for the examination and certification of petitions submitted pursuant to N.J.S.A. 40:69A-185

On March 4, 2024, a petition consisting of over 530 pages was filed with my office by a committee of petitioners.

The petition contained the following language: "Petition protesting against ordinance to reduce police roster: We, the undersigned, registered voters of the Township of Toms River, Ocean County, New Jersey, hereby request a referendum election and submission to popular vote for the Police Roster Reduction Ordinance, designated as "An Ordinance Of The Township Council, Township of Toms River, Ocean County, New Jersey, Amending and Supplementing §§50-38, 50-3G, And 50-3R of the Township Code To Revise The Roster of Positions Within The Department Of Law Enforcement," bearing no. 2024-05, under the powers of referendum granted in N.J.S.A. 40:69A-185. The undersigned voters demand that the Police Roster Reduction Ordinance in its entirety with any changes (whether by amendment or resolution) by the Township Council be submitted to the electorate for a vote at a general or special election, with a question to be put to the of Toms River Township in the form of a Referendum."

N.J.S.A. 40:69A-185 states: "...if the petition shall be signed by a number of the legal voters of the municipality equal in number to at least 15% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected, the ordinance shall

be suspended from taking effect until proceedings are had as herein provided.”

In the General Election of November 2023, 20,523 voters of Toms River Township voted, according to the data obtained from the Ocean County Board of Elections, and 15% of 20,523 is 3,079.

After my review of the petition, I hereby certify that each paper of the petition has a proper statement of the circulators. I further certify that, pursuant to N.J.S.A. 40:69A-185, more than 3,079 registered voters, which is equal to 15% of the 20,523 voters of the Township of Toms River who voted at the last preceding general election, have signed the petition in question and that pursuant to the provisions of this statute, Toms River Township Council must, within 20 days, take action to repeal this ordinance or it will be submitted to appear on a ballot as a question for the voters at a future special election.

Michael C. Cruoglio
Toms River Township Municipal Clerk
March 27, 2024

Ordinances- First Readings

7. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Repealing Ordinance No. 4792-24 Of The Township Code Of The Township Of Toms River Titled “Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement”

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

SECTION 1. Purpose. Ordinance 4792-24 amended §§50-3B, 50-3G, and 50-3R of Chapter 50 of the Township Code titled Department of Law Enforcement. It is the intention of this Ordinance to repeal Ordinance 4792-24. All other Sections and Provisions of Chapter 50 of the Township Code shall remain in full force and effect.

SECTION 2. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor and twenty (20) days after publication as required by law.

SECTION 3. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.

SECTION 4. If any part of this Ordinance is invalidated for any reason by a court of competent jurisdiction, that part is severed and the remaining portion shall remain in full force and effect.

Mayor Rodrick made a statement saying he does not need this ordinance, and it is the administration's right to determine staffing of Police Department. More EMTs are needed.

Motion: Approve
Motion Made By: Lynn O'Toole
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

8. **ORDINANCE** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement Between The Township Of Toms River And The Ocean County Board Of Health Authorizing The Leasing Of Certain Municipal Property Pursuant To N.J.S.A. 40A:12-14(B)

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

SECTION 1. Pursuant to N.J.S.A. 40A:12-14(b), the Township of Toms River may enter into a lease with another public body, upon such terms and conditions, including nominal or other consideration, if it is in the best interest of the municipality to do so. The Township Council has determined that it is in the best interest of the Township of Toms River to lease the Township's current animal facility to the Ocean County Board of Health to operate a county animal shelter within Toms River, the county seat. In so doing the taxpayers of the Township of Toms River will be relieved from paying twice

for such animal shelter services since the County of Ocean already operates two (2) animal shelters paid for with county taxpayer funds, while the residents of Toms River Township also pay for the Township's operation of a similar facility and therefore pay twice for such services. This Ordinance will alleviate this additional tax burden from the residents of Toms River Township so that they may receive the same county services as all other residents of Ocean County with respect to such services.

SECTION 2. The Township hereby authorizes a lease of the subject property in accordance with the terms of the lease agreement attached hereto as Exhibit A.

SECTION 3. 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.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

Councilman Ciccozzi asked which Township property this is for. Attorney Greg McGuckin said it is for the Animal Shelter

Motion: Approve Item 8

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Yes

Ciccozzi

Council Member Yes

Lamb

Council Member Yes

Lobman

Council Member Yes

Nivison

Council Member Yes

Quinlisk

Council Vice- Yes

President

O'Toole

Council Yes

President

Coleman

Ordinances - Final Readings

9. **ORDINANCE** To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,
WHEREAS, N.J.S.A.40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,
WHEREAS, the Township Council of the Township of Toms River in the County of Ocean finds it advisable and necessary to increase its CY2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,
WHEREAS, the Township Council hereby determines that a 2.5% increase in the budget for said year, amounting to \$2,724,683.08 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,
WHEREAS, the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.
NOW THEREFORE BE IT ORDAINED, by the Township Council of the Township of Toms River, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2024 budget year, the final appropriations of the Township of Toms River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$3,814,556.32 and that CY2024 municipal budget for the Township of Toms River be approved and adopted in accordance with this ordinance; and,
BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and
BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon; be filed with said Director within Five (5) days after such adoption.

Motion: Close Public Comment

Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Approve Final Reading of Item 9
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Resolutions

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.

10. Consent Items

Motion: Approve All the Following Items Listen on The Consent Agenda Except for Items: B, C ,H, I, J

Motion Made By: Thomas Nivison

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund and Cancelations of Tax Payments

A1.Resolution
March 27. 2024

Whereas, the Tax Assessor has notified the Tax Collector of an incorrect assessment on the property below for 2023;

Whereas, the Tax Assessor has requested the 2023 tax billing be based on the correct assessment for 2023;

Now, therefore, is resolved by the Township Council of the Township of Toms River, in the County of Ocean and the State of New Jersey, the follows:

The following property has their 2023 bill recalculated upon the corrected assessment: and refund any monies paid in 2023.

Block	Lot	Qual	Property Location	Original Assessment	Correct Assessment
694.14	30.02	817	WEST BRIAR AVENUE	440,400	413,400

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

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 Office
 - e) Township Assessor
 - f) Township Tax Collector
 - e) SILVER OAKS AT BROOKSIDE LLC
PO BOX 2131
TOMS RIVER, NJ 08754
- 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 MICHAEL CRUOGGIO

ASSISTANT TOWNSHIP ATTORNEY TOWNSHIP CLERK

A2. Resolution
March 27. 2024

Whereas, the Tax Assessor has notified the Tax Collector of an incorrect assessment on the below property for 2023;

Whereas, the Tax Assessor has requested the 2023 tax billing be based on the correct assessment for 2023;

And;

Whereas, the Tax Assessor has filed a county board appeal for 2024

And;

Whereas, the Tax Assessor has made the correction on the assessment for 2025.

Now, therefore be it resolved by the Township Council of Township of Toms River, in the County of Ocean and the State of New Jersey the follows:

The following property has their 2023 bill recalculated upon the corrected assessment: and refund any monies paid in 2023.
Block Lot Qual Property Location Original Assessment Correct Assessment
712 592 1420 SUMMIT AVENUE 1,166,000 750,00

2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
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
- e) THOMPSON, ROBIN & ANITA
1420 SUMMIT AVENUE
TOMS RIVER, NJ 08753

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 MICHAEL CRUOGLIO
ASSISTANT TOWNSHIP ATTORNEY TOWNSHIP CLERK

A3 . R E S O L U T I O N
MARCH 27, 2024

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

AND;

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

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

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

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

SHEPARD, DOROTHY	171.11	4	2024/1	\$2,194.48
TOTAL:				\$2,194.48

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 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 MICHAEL CRUOGGIO
ASSISTANT TOWNSHIP ATTORNEY TOWNSHIP CLERK

A4.C R E S O L U T I O N

MARCH 27, 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	831	5	2024/4	\$914.40
CORELOGIC	841	6	2024/1	\$279.13
CORELOGIC	922.01	11	2024/1	\$3,504.85
CORELOGIC	943.01	41	2024/1	\$4,194.65
CORELOGIC	1095.04	14	2024/1	\$2,352.87
CORELOGIC	1105.11	3	2024/1	\$1,656.14
CORELOGIC	1462.21	27	2024/1	\$4,643.41

Total:				\$17,545.45
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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 MICHAEL CRUOGLIO
ASSISTANT TOWNSHIP ATTORNEY TOWNSHIP CLERK

A5.

**RESOLUTION
MARCH 27, 2024**

WHEREAS, AN OVERPAYMENT OF TAXES HAS APEARED ON THE FOLLOWING PROPERTY(IES) FOR THE YEAR (S) INDICATED, DUE TO A 2023 VETERANS DEDUCTION BEING REFUNDED BACK TO HOME OWNER,

AND;

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

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

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

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

OCK LOT YR/QUAL AMOUNT

MILLER, JOHN J.	1097.02	4	2023/4	\$ 250.00
CANALETICH, AL & ANN	192.35	224	2023/4	\$250.00
TOTAL:				\$500.00

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

Approved as to content:

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 MICHAEL CRUOGLIO
ASSISTANT TOWNSHIP ATTORNEY TOWNSHIP CLERK

- b. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Contract For The 2024 On-Call Dune And Walkover Repair Project To Earle Asphalt Company, As The Lowest Bidder Meeting All The Bid Specifications, In The Total Contract Amount Not To Exceed \$314,813.13 (CONST-2024-102)

MARCH 27, 2024

**WHEREAS, bids were invited for the 2024 On-Call Dune and Walkover Repair Project; and
WHEREAS, one (1) bid was received at the bid opening on February 27, 2024 from the following vendor:**

<u>Vendor</u>	Total Cost
Earle Asphalt Company	\$ 314,813.13
P.O. Box 556	
Farmingdale, NJ 07727	

**WHEREAS, the bid was reviewed by the Purchasing Division and the Engineering Division, and recommendation has been made to award a contract to Earle Asphalt Company as the lowest bidder, meeting all the bid specifications, for the 2024 On-Call Dune and Walkover Repair Project in a total contract amount not to exceed \$314,813.13;
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the**

Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards a contract for the 2024 On-Call Dune and Walkover Repair Project to Earle Asphalt Company, PO Box 556, Farmingdale, NJ, 07727, as the lowest bidder meeting all the bid specifications, for a total contract amount not to exceed \$314,813.13.

2. Funds in the amount not to exceed \$314,813.13 are available in Account No. X-19- -600-140. The award of this contract is subject to all the terms and conditions of the bid specifications.

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

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

- a) Purchasing Division**
- b) Chief Financial Officer**
- c) Township Attorney**
- d) Engineering Division**
- e) Earle Asphalt Company**
PO Box 556
Farmingdale, NJ 07727

Councilman Quinlisk asked why spend money on sand not repair the parking garage?

Mayor Rodrick responded and said a second report was done by a structural engineer to see if there is structural damage

Debra Martin, 1921 Ocean Ave- Worse damage this year, so how will this amount cover enough if last year was more money? Will this be done by Memorial Day? Mayor Rodrick said maybe the cost of sand is cheaper, and he hopes to have it done by then.

Bob Tormallan, Messenger St.- Empathizes with residents of Ortley Beach, replenishment wont work, needs something else.

Joe Wnek, 217 Ashler- Asked where 6 foot tidal surge came from that Mayor spoke of
Mayor Rodrick responded it was during Sandy

Motion: Approve Resolution B

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Abstain

Council Member Nivison	Yes
Council Member Quinlisk	Abstain
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Budget Appropriation Reserve Transfers

MARCH 27, 2023

WHEREAS, N.J.S.A. 40A:4-59 permits the Township of Toms River to transfer funds between 2023 Budget Appropriations Reserve accounts during the first three months of the succeeding fiscal year;

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 that the following transfer is made between 2023 Budget Appropriation Reserves, as follows:

	Transfer From	Transfer To
General Appropriations		
Operations - Within "CAPS"		
Construction Code OE	\$ 50.00	
Shared Service – Berkley Twsp		50.00
	\$ 50.00	\$ 50.00

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

- a. Division of Local Government Services
- b. Auditor
- c. Chief Financial Officer
- d. Affected Department Heads

Dennis Galante, Cherokee Ct- Is this the full text of the resolution or is there more to it?

Mayor Rodrick said money was moved from one account to another to be used for Recreation

Mr. Galante then asked if resolutions can be seen prior to meetings

Councilman Ciccozzi made a motion to request resolutions be provided to public prior to meetings.

Council President said he'd like to speak with Council about this and revisit.

Councilman Ciccozzi thought that was a good idea and rescinded his motion.

Paul Williams, Broad St. - Agenda from website is different than the hard copies provided at the meeting. Council does not know what they are voting on.

Geri Ambrosio, 938 Millstone Ct.- The money moved for the recreation event that was canceled, will that money stay within recreation?

Business Administrator said the money will be used where needed.

Motion: Approve Resolution C

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Joint Purchasing Agreement With The County Of Ocean And Toms River Township, With Music Management Associates C/O Frank Hughes, For The 2024 Summer Concert Series, For Seven (7) Concerts With Various Bands, In The Total Amount Not To Exceed \$10,000.00

MARCH 27, 2024

WHEREAS, every year, the County of Ocean sponsors a Summer Concert Series, with the Township of Toms River paying a share of the costs; and

WHEREAS, in order to sponsor the Summer Concert Series, it is necessary to retain musicians for the concert events; and

WHEREAS, the County of Ocean desires to retain Music Management Associates c/o Frank Hughes, 18A Edinburgh Lane, Manchester, NJ, 08759, and various bands to perform at the concerts; and

WHEREAS, the bands and Music Management Associates c/o Frank Hughes, have been performing the concert series for the County and the Township for many years, and have proven reputations as well as past performance of the musicians; and

WHEREAS, the amount not to exceed \$10,000.00 for Music Management Associates c/o Frank Hughes, for a total of seven (7) concerts with various bands, is the amount for the Township's annual portion of the 2024 Summer Concert Series;

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

1. Pursuant to N.J.S.A. 40A:11-10(a)(1), which authorizes a Joint Agreement for the provision and performance of goods and services, it hereby authorizes a Joint Purchasing Agreement for services with the County of Ocean for the sharing of the 2024 Summer Concert Series costs in the total maximum not to exceed \$10,000.00 (the Township's portion).

2. It hereby authorizes payment to Music Management Associates, LLC, in the total amount not to exceed \$10,000.00 for seven (7) concerts with various bands, to perform the 2024 Summer Concert Series, sponsored by the County of Ocean and the Township of Toms River. Funds in the total maximum amount not to exceed \$10,000.00, (the Township's portion), are available in Account No. 4-01- -G76-535, contingent upon the availability of funds in the municipal budget. The certification of funds availability statement with respect to this resolution is on file in the Office of the Township Clerk.

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

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) Certified Financial Officer
- c) Purchasing Division
- d) Recreation Department
- e) County of Ocean
Department of Parks and Rec.
1198 Bandon Road
Toms River, NJ 08753
Attn: Brianna Blank
- f) Music Management Associates LLC
c/o Frank Hughes
18A Edinburgh Lane
Manchester, NJ 08759

- e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 397.02, Lot 2 (1854 Hooper Avenue)

March 27, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 397.02, Lot 2

WHEREAS, Performance Bonds have been posted as follows:

1. Cash Bond in the amount of \$3,400.00 which represents the performance guarantee amount.

2. Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
3. Check in the amount of \$1,255.00 which represents the escrow amount for inspection fees.

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

1) The bonds set forth in the preamble hereto are hereby approved.
2) Said bond approval is conditioned upon compliance by Hooper Ave Properties, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River. Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Hooper Ave Properties, LLC, 28 Cayman Avenue, Toms River, NJ 08753

- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Issuance Of Certain Short-Term Notes By The Toms River Municipal Utilities Authority

MARCH 27, 2024

WHEREAS, the Toms River Municipal Utilities Authority (the "Authority") is a municipal utilities authority organized and existing under the provisions of the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "Act"); and

WHEREAS, the Authority was originally established by the Township of Toms River (formerly known as the Township of Dover) (the "Township") under the provisions of the Sewerage Authorities Law, N.J.S.A. 40:14A-1 et seq., as a sewerage authority known as the Dover Sewerage Authority, by ordinance adopted on April 26, 1949; and

WHEREAS, the Authority was subsequently reorganized by the Township under the provisions of the Act as a municipal utilities authority known as the Township of Dover Municipal Utilities Authority, by ordinance adopted on January 23, 1979; and

WHEREAS, the Authority subsequently changed its name, first to the Dover Municipal Utilities Authority and later to the Toms River Municipal Utilities Authority, by resolutions adopted on May 23, 1979 and November 28, 2007, respectively; and

WHEREAS, the Authority has issued various series of bonds and notes from time to

time in order to finance various costs relating to its sewage system; and

WHEREAS, the Township and the Authority have previously entered into a Service Contract dated as of Jun 1, 1975 (the "Service Contract"), by which the Township agrees, inter alia, to pay certain "Annual Charges" to the Authority in the event the revenues of the Authority are not sufficient to pay the expenses of the Authority (including debt service on the Authority's bonds and notes); and

WHEREAS, the Authority desires to undertake a capital project consisting generally of (i) the rehabilitation of several pipes (approximately 4.5 miles, 8" to 48" diameter) and manholes, via cured-in-place lining, throughout various sections of the collection system, (ii) the removal and replacement of two (2) underground storage tanks (gasoline and diesel) with one (1) double-walled, split compartment, above ground fuel storage tank, (iii) the replacement of existing emergency generators at four (4) separate pump stations and the augmentation/upgrade of the existing emergency generator at the Administration Building and (iv) performance of an architectural/structural evaluation and preparation of a corresponding report of findings/recommendations in order to determine appropriate repairs/upgrades to the aging Pump Station 16 building, all as more fully described in plans which are on file with the Authority and identified by New Jersey Infrastructure Bank (the "I-Bank") as Project No. S340145-10 (collectively, the "2024 Project"); and

WHEREAS, on March 26, 2024, the Authority adopted (i) a resolution expressing its intention to issue tax-exempt obligations to finance all or a portion of the costs of the 2024 Project, (ii) a resolution authorizing the issuance of up to \$6,200,000 in short-term Authority project notes from time to time (collectively, the "Project Notes") in order to temporarily finance all or a portion of the costs of the 2024 Project and (iii) a resolution authorizing the issuance of up to \$6,200,000 in Authority bonds from time to time in order to permanently finance the costs of the 2024 Project, including through the refunding of any Project Notes following completion of the 2024 Project; and

WHEREAS, the Authority has applied to the I-Bank for financing of the 2024 Project through the I-Bank's water bank construction loan financing program, under which borrowers such as the Authority initially fund projects through short-term project notes that are subsequently refinanced by permanent bonds after the projects have been completed; and

WHEREAS, the Authority's participation in the I-Bank financing program is conditioned upon eligibility for an "investment grade" credit rating, which in the case of the Authority (which has no publicly-issued debt outstanding) is in turn dependent upon the applicability of the Service Contract to the Project Notes and subsequent permanent bonds in respect of the 2024 Project; and

WHEREAS, Section 411 of the Service Contract provides, in pertinent part, that the Township is relieved from making any payments to the Authority on account of the principal of or interest on Authority obligations that mature within three years from their date (the "Short Term Obligations"), such as the Project Notes, unless the

Authority takes certain actions to timely authorize, sell and issue refunding obligations prior to the maturity of such Short Term Obligations; and

WHEREAS, although the Authority has authorized the issuance of such refunding obligations and anticipates that the I-Bank and the State of New Jersey will agree to the timely refinancing of the Project Notes with such refunding obligations, neither the I-Bank nor the State of New Jersey may contractually commit in advance to effectuate such future refinancing, and therefore the Authority cannot satisfy all of the provisions of Section 411 of the Service Contract regarding the timely authorization, sale and issuance of refunding obligations; and

WHEREAS, Section 411 of the Service Contract also provides that the Township may, by its written consent, release the Authority from the requirements of said Section 411; and

WHEREAS, in order that the Project Notes be unconditionally entitled to the benefit of the Service Contract (and therefore satisfy the I-Bank's credit criteria for participation in the I-Bank financing program), it is therefore necessary for the Township to waive the requirements of Section 411 of the Service Contract, insofar as applicable to the Authority's financing of the 2024 Project through the issuance of the Project Notes under the I-Bank financing program;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWNSHIP OF TOMS RIVER, AS FOLLOWS:

Section 1. The Township hereby waives the provisions of Section 411 of the Service Contract, insofar as applicable to the Authority's financing of the 2024 Project through the issuance of up to \$6,200,000 in short-term debt obligations (including the Project Notes) under the I-Bank financing program.

Section 2. This resolution shall take effect immediately.

Section 3. 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) Chief Financial Officer
 - f) Toms River Municipal Utilities Authority
- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Awarding Certain Contracts For Services Exempt From The Bidding Process, Commencing Retroactive To March 1, 2024 Up To And Including December 31, 2024

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AWARDING

CERTAIN CONTRACTS FOR SERVICES EXEMPT FROM
THE BIDDING PROCESS, COMMENCING RETROACTIVE TO
MARCH 1, 2024 UP TO AND INCLUDING DECEMBER 31, 2024

MARCH 27, 2024

WHEREAS, the Township Council of the Township of Toms River must award contracts for professional services that are exempt from the bidding process, commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, resolution of the Township Council dated January 1, 2024 authorized the extension of certain contracts exempt from public bidding (except for the Municipal Prosecutor and Alternate Municipal Prosecutors and the Special Labor Counsel), to February 29, 2024; and

PART I

WHEREAS, the Township of Toms River has a need to acquire an Administrative Agent for Affordable Housing Units commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on November 9, 2023:

1) Piazza & Associates, Inc., 201 Rockingham Row, Princeton, N.J. 08540

WHEREAS, Piazza & Associates, Inc. has over 25 years of experience in the administration of affordable housing; and

WHEREAS, Frank Piazza, Jr., President, has served 14 years as a Rutgers COAH instructor; and

WHEREAS, Piazza & Associates, Inc. has served as the Administrative Agent for Affordable Housing Units for the Township of Toms River since April 2010, and find their services to be competent and professional:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Piazza & Associates, Inc.

as the Administrative Agent for Affordable Housing Units, not to exceed a total maximum amount of \$15,000.00 for CY24, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget, commencing retroactive to March 1, 2024 up to and including December 31, 2024. Funds for this contract are available in Account No. X-19- -600-027. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that this Resolution is conditioned upon approval by the Council on Affordable Housing.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART II

WHEREAS, the Township of Toms River has a need to acquire certified forester services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. CME Associates, 1460 Route 9 South, Howell, New Jersey 0773

WHEREAS, CME Associates currently employs three (3) qualified NJ Licensed Tree Experts on staff to assist with all the Township's forestry needs, and having successfully completed projects in Union City, Carteret, North Brunswick, Upper Freehold, Marlboro, Manalapan, and Jackson Township; and

WHEREAS, CME Associates have professionally performed forester services for the Township of Toms River in the past, and the Council has found these services to be responsive and professional;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. CME Associates

as Township Forrester commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the rate of \$85.00 per hour, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART III

WHEREAS, the Township of Toms River has a need to acquire 5G Consultant Services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. The Cedars Group – Consulting Engineers, 201-205 New Brunswick Avenue
2nd Floor, Hopelawn, NJ 08861
2. V-COMM, 5 Chestnut Street, Somers Point, NJ 08224

WHEREAS, The Cedars Group has been providing structural and telecommunications professional engineering services across the Tri-State area for over 27 years. The Cedars Group is versed in the design, installation and equipment used for transmitting wired and wireless phone, cellular, cable, data fiber and 5G network installation. Their services include telecommunications facility design permitting and zoning applications, ordinances and 5G equipment selection; and

WHEREAS, V-COMM has provided wireless infrastructure management services of cell towers, small cells and in-building systems, including lease negotiations, rental payment management, regulatory compliance, bid preparation and project management to many clients over the last ten years. They have worked with all four major wireless carriers in the United States to help design and optimize some of the largest commercial communications networks in North America. V-COMM has previously performed 5G Consultant Services for the Township of Toms River, and the Council has found these services to be responsive and professional;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement

with:

1. V-COMM

V-Com - Principal \$275/hr. Additional rates on file.

for 5G Consultant Services for the Township of Toms River, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget, commencing retroactive to March 1, 2024 up to and including December 31, 2024, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART IV

WHEREAS, the Township of Toms River has a need to acquire professional services to administer the Township's Employee Assistance Program (EAP) Administrator, commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. Preferred Behavioral Health Group, Inc.
700 Airport Road
Lakewood, New Jersey 08701

2. RK Psychology and Neuropsychology Services
2446 Church Road
Suite 3b
Toms River, NJ 08753

WHEREAS, Preferred Behavioral Health Consulting Group, Inc. has previously served as the administrator for the Township's Employee Assistance Program (EAP), and has provided services to employees in a professional and responsible manner; and

WHEREAS, Preferred Behavioral Health Group, Inc. provides services to the following companies and organizations: The County of Ocean (32 years), The Ocean

County Library (28 years), Ocean County Superior Court (19 Years), The Township of Brick (14 years), BHB/USI Insurance Services (13 years) and Wall Township Police Department (11 years), and is fully experienced in this field; and

WHEREAS, RK Psychology and Neuropsychology Services provides psychology and neuropsychology services, including workers compensation cases, automobile accidents, independent medical evaluations, need for treatment evaluations, per review, surgical clearances for bariatric surgery, spine surgeries, and spinal cord stimulators for individuals and couples;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Preferred Behavioral Health Group, Inc.

to serve as the administrator for the Township's Employee Assistance Program (EAP) Administrator, commencing retroactive to March 1, 2024 up to and including December 31, 2024 to provide the following services:

Six (6) sessions EAP model – assessment and counseling shall be available to employees and their immediate family members. In the event that referrals to additional external providers are deemed clinically appropriate, the EAP staff shall work with the employee's health benefits insurance carrier to assist in locating appropriate covered providers and agree to accept all of Toms River Township's Horizon health insurance plans (Direct Access, Point of Service or EPO Option) for payment following the initial six (6) visits at no charge to the employee and/or their family. The EAP Consulting Group shall offer day and evening appointments with more than one office location, convenient to the employee and their family members. Locations must be in Ocean County or within a 25-mile radius of Toms River. Pricing is to include all travel and expenses.

EAP Services shall include the following:

- Employee and Supervisory Orientation(s) at start-up,
- Yearly Employee and/or Supervisory training (4),
 - o DOT/SAP Evaluations of CDL employees testing positive, including reporting in the FMCSA Drug & Alcohol Clearing House, and consultations to the DER (as required),
 - o Critical Incident Debriefing (CISD) or Crisis Intervention on an as needed basis,
- On Site Crisis Response
 - o Supervisory Consultations as needed, particularly to Management staff who refer employees for performance concerns,
- Quarterly Utilization reports,
 - o Employee promotional materials distributed regularly, via hard copy and electronic file
- Referral support, tracking, follow up and reporting
- 24-hour phone access handling routine appointments within 72 hours,

- Emergent appointments scheduled within 24 hours,
- Face-to-face consultation as opposed to just phone consultation.

The fee to be submitted shall be per employee/per month, for approximately 500 full-time employees, and 44 part-time employees.

The Township of Toms River and Toms River Fire District #1 shall have the right to increase or decrease the number of full time and/or part time employees based upon the actual number of persons covered by this service. The cost of services shall be adjusted based upon the cost per individual as established by the successful bidder.

BE IT FURTHER RESOLVED that this award is for a total estimated maximum amount not to exceed estimated \$30,000.00 for CY24, \$20,000.00 for the Township of Toms River, subject to the execution of a contract, availability of funds and the adoption of the CY24 budget, and \$10,000.00 to be paid by the Toms River Fire District No. 1, separately. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART V

WHEREAS, the Township of Toms River has a need to acquire eminent domain counsel services commencing retroactive to March 1, 2024 up to and including December 31, 2024 and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on February 9, 2024:

1. Paul R. Rizzo, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Blvd., Warren, NJ 07059
2. Parker McCay P.A., 9000 Midlantic Drive, Suite 300, Mount Laurel, NJ 08054
3. Rainone, Coughlin, Minchello, 555 US Hwy. 1 South, Suite 440, Iselin, NJ 08830

WHEREAS, Paul R. Rizzo, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has provided legal services to Toms River for many years as a land acquisition/eminent domain counsel in a professional and competent manner; and

WHEREAS, Paul R. Rizzo, Esq. of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., has conducted condemnation proceedings for municipalities in Edison, South Plainfield, Sayerville, and has acted as a

condemnation commissioner in Somerset County, indicating the necessary experience in this field; and

WHEREAS, the Parker McCay PA law firm has been serving local government entities in New Jersey for more than 100 years. Their municipal attorneys understand the complexities of local, state and federal laws that affect the responsibilities and liabilities of public entities. Their attorneys appear before state and federal courts as well as state agencies such as the departments of Transportation, Environmental Protection, Community Affairs and Labor; and

WHEREAS, the Rainone, Coughlin, Minchello law firm has been serving municipalities since 2017 and possesses decades of proven experience and knowledge in the field of municipal law generally, including but not limited to zoning and planning, affordable housing, public employment, organization and responsibilities in the Township form of government, laws applicable to municipalities, including Titles 40 and 4A of the New Jersey Statutes, and specifically, the Faulkner Act, Mayor Council Plan form of government, municipal litigation, administrative proceedings, land use and real estate transactions, municipal ordinances, school budget appeals, gross receipts and franchise tax replacement revenues, sewer utility law, and Board of Health law.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Paul R. Rizzo, Esq. of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.

for eminent domain counsel services commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the rate of \$195.00 per hour for attorneys, and \$75.00 per hour for paralegals, not to exceed a total estimated maximum amount of \$100,000.00 for CY24, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART VI

WHEREAS, the Township of Toms River has a need to acquire municipal auditor services as required pursuant to N.J.S.A. 40A:5-4, et. seq. commencing retroactive to

March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal which was publicly opened and read on February 9, 2024:

1. Holman, Frenia, Allison, P.C., 1985 Cedar Bridge Avenue, Suite 3, Lakewood, NJ, 08701
2. Suplee, Clooney & Company LLC, 308 East Broad Street, Westfield, NJ 07090

WHEREAS, a review of the submitted proposal by the Council reveals that the firm of Holman, Frenia, Allison, P.C., has conducted auditing services for over 40 municipalities in the State of New Jersey; and

WHEREAS, the firm of Holman, Frenia, Allison, P.C., has been retained by the Township of Toms River and the Council finds that their past and present services have been responsive and professional; and

WHEREAS, the Suplee, Clooney & Company firm is extremely knowledgeable and familiar with respect to municipalities, boards of education, counties, authorities, fire districts and not-for-profit entities. They currently represent Twps. Of Warren, Westfield, Freehold, Scotch Plains, Aberdeen, Barnegat Light, Spring Lake Heights, Tinton Falls, Middlesex, Belmar, and many others;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to execute and Township Clerk to attest to a contract with the firm of:

1. Holman, Frenia, Allison, P.C.

for municipal auditor services at the hourly rates for ; Partners: \$145.00; Manager: \$115.00; Supervisor \$90.00; Senior Staff: \$75.00 and Staff: \$65.00, commencing retroactive to March 1, 2024 up to and including December 31, 2024, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART VII

WHEREAS, the Township of Toms River has a need to acquire certain municipal bond counsel services commencing retroactive to March 1, 2024 up to and including

December 31, 2024; and

WHEREAS, the Township of Toms River solicited qualifications for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on February 9, 2024:

1. Malamut & Associates, LLC, 457 Haddonfield Road, Suite 500, Cherry Hill, NJ, 08002
2. Archer & Greiner PC, 1025 Laurel Oak Road, Voorhees, NJ 08043
3. Dilworth Paxson LLP (used to be Gluck Walrath, LLP), 4 Paragon Way, Suite 400, Freehold, NJ 07728
4. Parker McCay, 9000 Midlantic Drive, Suite 300, Mount Laurel, NJ 08054
5. Wilentz, Goldman & Spitzer, PA, 90 Woodbridge Center Drive, Suite 900, Woodbridge, NJ 07095

WHEREAS, a review of the submitted proposals to the Council reveal that the firm of Dilworth Paxson LLP (formerly Gluck Walrath, LLP), has been providing the Township of Toms River with legal bond services for several years; and

WHEREAS, Dilworth Paxson LLP (formerly Gluck Walrath, LLP) is familiar with the current bonding needs of Toms River Township; and

WHEREAS, Dilworth Paxson LLP (formerly Gluck Walrath, LLP) has been appointed as bond counsel by 63 public entities in the State of New Jersey, and has extensive experience in the field of municipal bonding law; and

WHEREAS, the Archer & Greiner firm has decades of experience successfully representing public entities, including as bond counsel to numerous government local units in New Jersey, as well as to state, county and municipal authorities, agencies and commissions and municipal authorities, agencies and commissions, and extensive experience in representing dozens of municipalities located within Ocean County; and

WHEREAS, Archer & Greiner currently serves as bond counsel to the Township and is quite familiar with its professional staff and financing needs; and

WHEREAS, Malamut & Associates, LLC has represented municipalities as Bond Counsel within the State of New Jersey: Atlantic City, Bergen County, Burlington Twp, Camden County, etc.; and

WHEREAS, the Parker McCay firm serves as bond counsel to more than one hundred governmental entities, including school districts, improvement and utilities authorities and other agencies throughout the state; and

WHEREAS, the Wilentz law firm serves as bond counsel to Brick Township, Berkeley

Twp., Lacey Twp., and Stafford Twp. They are one of the largest law firms in the State and they are confident that their extensive background and expertise in the practice of law pertaining to the issuance of municipal bonds by government entities, in particular municipalities, will allow them to provide the highest quality of bond counsel services to the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

1. Dilworth & Paxson, LLC (formerly Gluck Walrath)

for municipal bond legal services commencing retroactive to March 1, 2024 up to and including December 31, 2024, at \$250.00 per hour for tax attorney services, \$225.00 per hour for bond attorney services, and between \$80.00 per hour to \$135.00 per hour for legal assistants, and at rates for the following services:

a. For services rendered or in connection with each bond sale, a fee of \$3,500.00 plus \$1.00 per thousand dollars of bonds issued.

b. For services rendered in connection with the preparation or review of each ordinance and the compiling of a certified record of proceedings in connection therewith, a fee of \$400.00 for each single purpose ordinance and \$600.00 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, there will be additional fees to be charged at the hourly rates of the attorneys and paralegals providing such services, as described above. The fees for services in connection with the ordinances will be charged periodically during the course of the year.

c. The fee for any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at closing, shall be billed at the hourly rates for attorneys and paralegals as described above, with a minimum fee of \$750.00.

d. Written post issuance tax compliance procedures will be provided by Bond Counsel at the request of the CFO at a fixed cost of not more than \$5,000.00 for a template; with any modifications thereto billed at Bond Counsel's normal hourly rates for attorneys and paralegals as described above.

e. Services rendered beyond the scope of those described herein will be billed at the hourly rates for attorneys and paralegals as described above depending on the attorney or paralegal involved. Such services may include attendance at meetings, all work required in connection with any financing through a borrowing through the New Jersey Environmental Infrastructure Trust Program, extraordinary work involved in the preparation of the Official Statement, attention to any litigation that may occur, complicated arbitrage analysis, implementation of procedures required by IRS Circular 230 or applications to the Federal Reserve Bank for investments of bond or

note proceeds in State and Local Government Series federal obligations. If the Bond sale involves the sale of mini-bonds, the sale of obligations to the United States Department of Agriculture, Farmers Home Administration, or an application to the Local Finance Board, such services will be billed for attorneys and paralegals at the hourly rates described above with a minimum fee of \$750.00. In the event that bond insurance, a letter of credit or similar credit enhancement facility is used in connection with a bond issue, an additional fee based on the responsibility assumed and time involved will be charged.

f. In the event of a refunding bond issue providing for an escrow agreement and an investment of the proceeds consistent with the restrictions of the Internal Revenue Code to provide for the payment of a prior issue of bonds, there will be a fee of \$10,000.00 in addition to the fees described herein.

g. In the event that a bond sale is held but all bids are rejected or the sale is canceled, the fee to be charged shall be a reasonable one, based on the services performed.

h. Customary disbursements for postage, telephone, photocopying, travel and out-of-pocket expenses shall be added to the fees referred to in this Agreement.

BE IT FURTHER RESOLVED that this award is contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART VIII

WHEREAS, the Township of Toms River has a need to acquire Golf Course Architecture Consulting Services for the Township of Toms River for the year of 2024, commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on February 9, 2024, as follows:

1) Norby Golf Design, 131 Highland Drive, Carver, MN 55315

WHEREAS, Norby Golf Course Design is a professional golf course design firm specializing in master planning and the design of municipal and public sector golf courses. Mr. Norby is a member of the American Society of Golf Course Architects and a licensed landscape architect in multiple states. With nearly 35 years of

experience and over 200 golf course projects to his credits Mr. Norby is nationally recognized as one of the leading authorities in municipal course design and golf course master planning.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Norby Golf Course Design

as Golf Course Architecture Consultancy Services for the Township of Toms River, in an amount not to exceed \$50,000.00, for CY24, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget, commencing retroactive to March 1, 2024 up to and including December 31, 2024. Rates are on file in the Purchasing Division. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART IX

WHEREAS, the Township of Toms River has a need to acquire certain professional Pool Architectural Services for Township capital improvements projects and general architectural services, commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, successful candidates will be placed on an approved list for future architectural capital improvements projects and general architectural services, as required by law for said future services; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on February 9, 2024:

1. Barlo Governale & Associates LLC, 92 Mantoloking Road, Brick, NJ 08723
2. LAN Associates, 445 Godwin Avenue, Suite 9, Midland Park, NJ 08432
3. Netta Architects, LLC, 1084 Route 22 West, Mountainside, NJ 07092
4. Settembrino Architects, 37 East Washington Ave., Atlantic Highlands, NJ 07716
5. The Musial Group, P.A., 191 Mill Lane, Mountainside, NJ 07092
6. Tokarski Millemann Architects LLC, 1729 State Route 35, Wall, NJ 07719
7. Yezzi Associates LLC, 18 Washington Street, Toms River, NJ 08754-1638
8. Alaimo Group, 200 High Street, Mount Holly, NJ 08060; and

WHEREAS, the Barlo Governale & Associates firm submitted the names of their support staff and their experience; and

WHEREAS, the LAN firm has over 59 years of experience servicing municipal clients throughout Connecticut, New Jersey, New York and Pennsylvania. They have represented Atlantic County, Bergen County, Franklin Lakes, Somerville, Cherry Hill, Linden, Passaic, Monmouth, etc., and many other townships/boroughs; and

WHEREAS, the Netta Architects firm has extensive experience designing and managing municipal buildings, correctional/detention facilities, educational facilities, emergency response facilities, transportation facilities, libraries, courthouses, administrative offices, etc. and

WHEREAS, the Settembrino Architects firm has over 75 years of combined team experience throughout the Garden State, parts of New York and Pennsylvania. They have provided services to the Bayville Elementary Township Board of Education, Bayville Elementary School, Monmouth County Library Headquarters, County of Ocean, Cape May, Monmouth County, Camden County, Bergen County, and others; and

WHEREAS, the Musial Group has had a professional relationship with the Township for several years and the Township Council has found their services to be competent and professional; and

WHEREAS, the Tokarski Millemann Architects firm has over 25 years of design excellence. They have represented the County of Ocean, Borough of Point Pleasant, Borough of Manasquan, Township of Brick, Township of Howell, Township of Jackson, Township of North Brunswick, Township of Barnegat, and Township of Parsippany-Troy Hills, etc.; and

WHEREAS, Yezzi Associates has performed services for the Township previously and the Council has determined that their services were satisfactory and professional; and

WHEREAS, Alaimo Group has previously been retained by the Township and the Council has determined that their services were satisfactory and professional;

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:

The following firms shall be placed on a pre-approved list commencing retroactive to March 1, 2024 up to and including December 31, 2024 to receive bids, requests or solicitations as required by law for future architectural capital improvement projects and general architectural services on behalf of the Township of Toms River:

1. Alaimo Group
2. Yezzi Associates

The Toms River Township Engineer may seek authorization from this Council for specific capital projects or miscellaneous architectural services on behalf of the Township to be awarded to the above firms.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART X

WHEREAS, the Township of Toms River has a need to acquire pool non-emergency veterinary services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted conforming proposals, which were publicly opened and read on November 9, 2023:

1. Pet Services of NJ d/b/a Toms River Animal Hospital, 769 Route 37 West, Toms River, NJ 08755
2. Cummings Veterinary Services d/b/a East Coast New Jersey Spay Clinic, 918 Hazelwood Road, Toms River, NJ 08753
3. Oakhurst Veterinary Hospital, 225 Monmouth Road, Oakhurst, NJ 07755
4. Brandywine Green LLC d/b/a Abbey Glen Pet Memorial Services, 126 Turner Lane, West Chester, PA 19380

WHEREAS, the following firm submitted a conforming proposal dated February 28, 2024:

1. Inspire Veterinary Services of NJ, PC, d/b/a Whiting Veterinary Clinic
PO Box 15440
Portland, ME 04112

WHEREAS, Pet Services of NJ d/b/a Toms River Animal Hospital has been retained by the Township for veterinarian services in previous years, and Council finds that their services have been competent and professional; and

WHEREAS, Cummings Veterinary Services d/b/a East Coast New Jersey Spay Clinic has 18 years' experience performing 4,000 procedures per year as a spaying and neutering clinic and has provided this service in a professional and competent manner with the Township for the past 8 years: and

WHEREAS, Oakhurst Veterinary Hospital provides emergency services when needed if the canine is stable enough for transport. All doctors donate their exam. All services outside exam are discounted 20%; and

WHEREAS, Brandywine Green LLC d/b/a Abbey Glen is a pet aftercare and animal

cremation service;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Cummings Veterinary Services d/b/a East Coast New Jersey Spay Clinic
2. Brandywine Green LLC d/b/a Abbey Glen Pet Memorial Services
3. Pet Services of NJ d/b/a Toms River Animal Hospital
4. Oakhurst Veterinary Hospital
5. Inspire Veterinary Services of NJ, P.C./ d/b/a Whiting Veterinary Clinic

Commencing retroactive to March 1, 2024 up to and including December 31, 2024 for pool non-emergency veterinary services not to exceed \$88,000.00 for CY 2024, from Account Nos. 4-13- -911-011 - \$78,000.00 Animal Shelter, 4-01- -P45-534 - \$10,000.00 Police, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The award of this contract shall be open-ended with funds being encumbered each time services are requested, not to exceed \$88,000.00 for all veterinary services for the 2024 calendar year, 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.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XI

WHEREAS, the Township of Toms River has a need to acquire pool emergency veterinary services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on November 9, 2023

1. Pet Services of NJ d/b/a Toms River Animal Hospital, 769 Route 37 West, Toms River, NJ 08755
2. Brandywine Green LLC d/b/a Abbey Glen Pet Memorial Services, 126 Turner Lane, West Chester, PA 19380

WHEREAS, Pet Services of NJ d/b/a Toms River Animal Hospital has been retained by the Township for veterinarian services in previous years, and Council finds that their services have been competent and professional; and

WHEREAS, Brandywine Green d/b/a Abbey Glen Pet Memorial Services is a pet aftercare and animal cremation service;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Pet Services of NJ d/b/a Toms River Animal Hospital, for emergency veterinarian services for CY24
2. Brandywine Green d/b/a Abbey Glen Pet Memorial Services

for a total maximum amount not to exceed \$11,000.00 - \$10,000.00 in Account No. 4-13- -911-011 Animal Shelter, and \$1,000.00 in Account No. 4-01- -P45-534 Police, for CY 2024, commencing retroactive to March 1, 2024 up to and including December 31, 2024, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XII

WHEREAS, the Township of Toms River has a need to acquire certain real estate title abstract services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms have submitted a conforming proposal which was publicly opened and read on February 9, 2024:

1. Mid-State Abstract Company, 207 Hooper Avenue, Toms River, N.J. 08753
2. CW Solutions, Inc., 409 Joyce Killmer Avenue, Suite 120, New Brunswick, NJ 07095

WHEREAS, a review of the submitted proposal to the Council reveals that the firm of Mid-State Abstract Co. has represented Toms River Township for the services described for several years and has served the interests of the Township in a

competent and professional manner: and

WHEREAS, CW Solutions is a full-service land acquisition company and title services company located in New Brunswick, New Jersey, which has been providing title search services to the State of New Jersey, Monmouth County, Passaic County, Burlington County, Howell Township, Hamilton Township, etc.;

WHEREAS, Mid-State Abstract Company shall be placed on a pre-approved list for future services;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Mid-State Abstract Company

a contract for real estate title abstract services commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the rates set forth regulated by the New Jersey Department of Insurance for title insurance, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The award of this contract shall be open-ended with funds being encumbered each time services are requested, 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.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XIII

WHEREAS, the Township of Toms River has a need to acquire certain real estate appraisal services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal which were publicly opened and read on February 9, 2024:

1. Henry J. Mancini & Associates, Inc., 691 Mill Creek Road, Unit 11
Manahawkin, NJ 08050
2. New Jersey Realty Advisory Group, LLC, 485C Hwy. 1 South, Suite 100, Iselin, NJ
08830

WHEREAS, Henry J. Mancini & Associates, Inc. has provided appraisal services for

public entities throughout Ocean County, including the Township of Toms River for several years, in a competent and professional manner; and

WHEREAS, New Jersey Realty Advisory Group, LLC is prepared to provide appraisal and consulting services to the Township of Toms River. They have experience preparing appraisal reports of virtually all types of properties in several counties across the state, including but not limited to Somerset, Ocean, Middlesex and Monmouth counties.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Henry J. Mancini & Associates, Inc.
2. New Jersey Advisory Group, LLC

for appraisal services, commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the rates set forth:

MAI Designated Appraiser: \$160.00/hour
State Certified General Appraiser Staff: \$115.00/hour
Field Personnel/Research Assistants: \$100.00/hour
Clerical: \$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research: \$ 315.00
Report and Exhibit Copies:
Copy fees - \$0.35/sheet/Color - \$0.95/sheet
Binders, photos, exhibits and maps @ \$120% of cost.

BE IT FURTHER RESOLVED all costs, fees, and compensation are contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget and/or the appropriate capital ordinances. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XIV

WHEREAS, the Township of Toms River has a need to acquire real estate appraisal services for property tax appeals commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on February 9, 2024:

1. Henry J. Mancini & Associates, Inc., 691 Mill Creek Road, Unit 11, Manahawkin, NJ 08050
2. New Jersey Realty Advisory Group, LLC, 485C Hwy. 1 South, Suite 100, Iselin, NJ 08830

WHEREAS, Henry J. Mancini & Associates, Inc. has provided appraisal services for public entities throughout Ocean County, including the Township of Toms River for several years, in a competent and professional manner; and

WHEREAS, New Jersey Realty Advisory Group is prepared to provide appraisal and consulting services to the Township of Toms River. They have experience preparing appraisal reports of virtually all types of properties in several counties across the state, including but not limited to Somerset, Ocean, Middlesex and Monmouth counties.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Henry J. Mancini & Associates, Inc.
2. New Jersey Realty Advisory Group, Inc.

for appraisal services for property tax appeals, commencing retroactive to March 1, 2024 up to and including December 31, 2024 at the rates set forth:

MAI Designated Appraiser: \$160.00/hour
State Certified General Appraiser Staff: \$115.00/hour
Field Personnel/Research Assistants: \$ 100.00/hour
Clerical: \$ 55.00/hour
File preparation including owner notification, project control, sheets and deed research: \$ 315.00

Report and Exhibit Copies:
Copy fees - \$0.35/sheet/Color - \$0.95/sheet
Binders, photos, exhibits and maps @ \$120% of cost.

BE IT FURTHER RESOLVED, all costs, fees, and compensation are contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget, and/or the appropriate capital ordinances. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published

within 10 days of the date of this Resolution, pursuant to law.

PART XV

WHEREAS, the Township of Toms River has a need to acquire rent leveling board accounting services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. Carmen Memoli, C.P.A. of the firm Memoli & Company, PC, 222 Oak Avenue, Suite 5, Toms River, NJ 08753

WHEREAS, Carmen J. Memoli, CPA of the firm Memoli & Company, PC, has represented Toms River Township as the rent leveling board accountant for several years in a competent and professional manner, and is familiar with the process required to serve the interests of Toms River Township:

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Carmen J. Memoli, CPA of the firm of Memoli & Company, PC.

for rent leveling board accounting services commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the rate of \$100.00 per hour, for a total maximum amount not to exceed \$6,000.00 for CY24, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XVI

WHEREAS, the Township of Toms River has a need to retain special legal counsel services with regard to litigation filed against the Township of Toms River captioned NJDEP v. Almo Anti-Pollution Services, et als. v. Toms River Township, et als., BUR-L-00895-02 commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on February 9, 2024:

1. Gregory Coffey, Esq. of the firm of Coffey & Associates, 310 South Street, Morristown, NJ 07960

WHEREAS, the law firm of Coffey and Associates was retained by this Council on August 10, 2010 in the matter of NJDEP v. Almo Anti-Pollution Services, et. als. v. Toms River Township, et. als., BUR-L-00895; and

WHEREAS, this Council finds that the law firm of Coffey and Associates has provided services to the Township in a professional and competent manner in the court matter described above;

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Toms River authorizes the Mayor to execute and the Township Clerk to attest to a contract with:

1. Gregory Coffey, Esq. of the firm of Coffey & Associates

regarding litigation filed against the Township of Toms River known as NJDEP v. Almo Anti-Pollution Services, et als. v. Toms River Township, et als., BUR-L-00895-02, at the rate of \$200.00 per hour for partners, and \$140.00 per hour for associates, commencing retroactive to March 1, 2024 up to and including December 31, 2024, not to exceed a total maximum amount of \$15,000.00 for CY24, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XVII

WHEREAS, the Township of Toms River has a need to retain special legal services regarding the Township of Dover v. Ciba Specialty Chemicals Corp., et. als., Docket Number L-2884-03 and Ciba Specialty Chemicals Corp. v. the Township of Dover, Docket Number L-OCN-1686-06-PW matters commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. Chiesa, Shahinian and Giantomasi, P.C., 105 Eisenhower Parkway, Roseland, NJ 07068

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented the municipalities of Sayreville, East Brunswick and Verona in environmental legal issues; and

WHEREAS, members of the firm Chiesa, Shahinian and Giantomasi, P.C. include a former New Jersey Attorney General, and a member of the New Jersey Brownfields and Contaminated Site Remediation Task Force; and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, has represented clients in connection with waste site cleanups and the reallocation of clean-up costs at sites in New Jersey, New York, Pennsylvania, Ohio, Michigan, and other states; and

WHEREAS, the firm employs over 175 attorneys and staff providing a full range of legal services in connection with environmental law; and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented the Township of Toms River in the Ciba-Geigy litigation for many years, and is familiar with the facts and legal issues necessary to represent the interests of the Township in a competent and efficient manner:

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a professional legal services contract with the firm of:

1. Chiesa, Shahinian and Giantomasi, P.C.

for representation in the lawsuits, Township of Dover v. Ciba Specialty Chemicals Corp., et. als., Docket Number L-2884-03 and Ciba Specialty Chemicals Corp. v. the Township of Dover, Docket Number L-OCN-1686-06-PW at the rate of \$220.00 per hour for attorneys and \$95.00 per hour for paralegals, commencing retroactive to March 1, 2024 up to and including December 31, 2024, in an amount not to exceed a total of \$23,000.00 for CY24, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XVIII

WHEREAS, the Township of Toms River has a need to acquire professional special counsel services to advise, consult, and represent the Township of Toms River in land use matters involving the Religious Land Use and Institutionalized Persons Protection Act ("RLUIPA"), 42 U.S.C. 2000cc et seq., and religion clauses of the United States Constitution commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services; and

WHEREAS, the following firm submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. Ronald D. Cucchiaro, Esq., of the Weiner Law Group LLP, 629 Parsippany Road, Parsippany, NJ 07054

WHEREAS, the Weiner Law Group is a 60 attorney law firm established in 1988. The firm has developed a specialty in the area of public entity representation in counties located throughout the State of New Jersey. This includes the Religious Land Use and Institutionalized Persons Act "RLUIPA"

WHEREAS, the Weiner Law Group has had substantial experience representing municipalities in "RLUIPA" matters; and

WHEREAS, recommendation has been made to award a contract to Ronald D. Cucchiaro, Esq., of the Weiner Law Group LLP, for a total contract amount not to exceed \$65,000.00 for CY24;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a professional legal services contract with the firm of:

1. Ronald D. Cucchiaro, Esq., of the Weiner Law Group LLP

to serve as special legal counsel to advise, consult and represent the Township of Toms River in land use matters involving the Religious Land Use and Institutionalized Persons Protection Act ("RLUIPA"), 42 U.S.C. 2000cc et seq., and religion clauses of the United States, commencing retroactive to March 1, 2024 up to and including December 31, 2024 for a total contract amount not to exceed \$65,000.00 for CY24, at the rate of \$165.00 per hour, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The Township of Toms River agrees to pay reasonable travel expenses, if needed.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XIX

WHEREAS, the Township of Toms River has a need to acquire a Financial Advisor and Counseling Services, commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted conforming proposals which were publicly opened and read on February 9, 2024:

1. Acacia Financial Group, Inc., 6000 Midlantic Drive, Suite 410 North, Mount Laurel, NJ 08054
2. NW Financial Group, L.L.C., 522 Broad Street, Bloomfield, NJ 07003
3. Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, NJ 08505

WHEREAS, Acacia Financial Group, Inc. is experienced in the field as financial advisor and counseling services to public entities, and has provided these services to eight state level authorities, and six New Jersey counties; and

WHEREAS, Acacia Financial Group, Inc. represents twenty-six municipalities, including the Township of Brick, the Township of Cherry Hill and the City of Newark; and

WHEREAS, Acacia Financial Group, Inc. has represented many local authorities including the Toms River Township Municipal Utilities Authority; and

WHEREAS, Phoenix Advisors is a leading municipal advisory services firm registered with the Municipal Securities Rulemaking Board, and the Securities & Exchange Commission. For over a decade Phoenix Advisors has consistently been ranked among the top firm since 2004. They represent fire districts, school boards and towns, to cities, counties, authorities and state government; and

WHEREAS, NW Financial Group's experience providing financial advisory and consulting services to local governments in the State of New Jersey is unrivaled. With this experience comes a knowledge and understanding of the issues local governments face and provide financial advisor services to address these needs such as: short and long term capital and financing needs, debt management, budget consulting, redevelopment consulting, continuing disclosure services, and with the arrival of the pandemic, ARP decision and reporting service NW Financial Group provides financial advisory services to many New Jersey local governments in the Toms River area, including North Hanover, Lumberton, Westhampton, Middletown, Tinton Falls, Howell, Holmdel, Ventnor, Haddon Township, Lawnside, Logan, and East Greenwich;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a

contract with the firm of:

1. NW Financial Group

commencing retroactive to March 1, 2024 up to and including December 31, 2024, at the rate of \$145.00/hr. for professionals and \$50.00/hr. for administrative purposes, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XX

WHEREAS, the Township of Toms River has a need to acquire a Township Physician commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on February 9, 2024:

1. Om Worldwide Inc. d/b/a Mindful Staffing Solutions Response, 6365 Collins Avenue, #3607, Miami, FL 33141

2. Hackensack Meridian Occupational Health d/b/a HMH Occupational Health
2-12 Corbett Way, Suite 101
Eatontown, NJ 07724

WHEREAS, Om Worldwide is a nationwide collective of health professionals including licensed physicians, mental health professionals, counselors, coaches and yoga teachers, dedicated to serving veterans, individuals affected by PTSD victims of crime, trauma survivors,, and those confronting adversity. Their services and programs are available in person, virtually and through their app Om At Home, ensuring accessible support for those in need; and

WHEREAS, Hackensack Meridian Occupational Health d/b/a HMH Occupational Health has previously performed services for the Township, and the Council has found their services to be acceptable and professional;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Hackensack Meridian Occupational Health d/b/a HMH Occupational Health

as Township Physician, commencing retroactive to March 1, 2024 up to and including December 31, 2024, contingent on the execution of a contract, the availability of funds and the adoption of the CY24 budget. Further rates to be provided on a case-by-case basis. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XXI

WHEREAS, the Township of Toms River has a need to acquire a Township Psychologist commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal which was publicly opened and read on February 9, 2024:

1. Institute for Forensic Psychology, 5 Fir Court, Suite 2, Oakland, NJ 07436
2. RK Psychology and Neuropsychology Services, 2446 Church Road, Suite 3B, Toms River, NJ 08753
3. Mark White, PH. D, PA, 1985 Highway #34, Unit A-3, Wall, NJ 07719

WHEREAS, the Institute for Forensic Psychology has provided expert psychological services to police, fire and other public safety agencies since 1972. Psychological examinations of public safety recruits, promotional candidates, special teams candidates and problem personnel comprise over 95% of the firm's work; and

WHEREAS, RK Psychology and Neuropsychology Services is a private practice that provides comprehensive psychological and neuropsychological services including workers compensation cases, automobile accidents, independent medical evaluations, need for treatment evaluations peer review, surgical clearances for bariatric surgery, spins surgeries, and spinal cord stimulators for individuals and couples ages twelve and older; and

WHEREAS, Mark White has performed services for the Township previously and the

Council has found his services to be acceptable and professional;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with:

1. Mark White, PH. D, PA,

as Township Psychologist, commencing retroactive to March 1, 2024 up to and including December 31, 2024, Police Officer- Psych. Evaluation: \$500.00, Police Officer-Fitness for Duty: \$600.00; SLEOI (Class 1's): \$250.00, for a total maximum amount not to exceed \$5,000.00 for CY24, contingent on the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XXII

WHEREAS, the Township of Toms River has a need to acquire certain professional bankruptcy counsel legal services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. Chiesa, Shahinian and Giantomasi P.C., 105 Eisenhower Parkway, Roseland, NJ 07068; and
2. Marmero Law, LLC, 44 Euclid Street, Woodbury, NJ 08096
3. Parker, McCay PA, 9000 Midlantic Drive, Suite 300, Mount Laurel, NJ 08054

WHEREAS, Chiesa, Shahinian and Giantomasi, P.C. has extensive experience in collecting and securing assets on behalf of creditors in Chapter 11 proceedings and other forms of bankruptcies; and

WHEREAS, Chiesa, Shahinian and Giantomasi, P.C. is familiar with the local rules of bankruptcy in the District of New Jersey, and has represented the Township as bankruptcy counsel for several years, and the Township finds their services to be professional and responsive; and

WHEREAS, Marmero Law represents several public entities in multiple capacities. The firm has represented and/or continues to represent various municipalities which

include Deptford, Eastampton, Galloway, Fairfield, Pittsgrove, Riverside and many others; and

WHEREAS, the Parker, McCay law firm was founded more than 100 years ago. They have a proven record of success representing counties, governmental entities and authorities spanning more than 30 years, which include Absecon, Bayonne, Egg Harbor, Camden, Cherry Hill, Burlington Twp., and many others;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

1. Parker McCay Law Firm

for professional bankruptcy counsel legal services at the rate of \$220.00/hr. for attorneys and \$95.00/hr. for all legal services required, for a total amount not to exceed \$23,000.00 for CY24, commencing retroactive to March 1, 2024 up to and including December 31, 2024, contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this contract award is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XXIII

WHEREAS, the Township of Toms River has a need to acquire certain professional COAH legal services commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which was publicly opened and read on February 9, 2024:

1. DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Blvd., Warren, NJ 07059
2. Parker McCay PA, 9000 Midlantic Drive, Suite 300, Mount Laurel, NJ 08054
3. Rainone Coughlin Minchello LLC, 555 US Highway One South, Suite 440, Iselin, NJ 08830-3100
4. Rothstein, Mandell, Strohm, Halm & Cipriani, PA, 98 East Water Street, Toms River, NJ 08753
5. Marmero Law, 44 Euclid Street, Woodbury, NJ 08096

WHEREAS, William J. Willard, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. has provided legal services for the Township of Toms River for several years in a professional and competent manner; and

WHEREAS, William J. Willard, Esq., of the firm DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. has extensive experience in the field of COAH law; and

WHEREAS, William J. Willard, Esq., of the firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. has held the position of Special COAH Counsel for the Township of Howell, Township of Berkeley Heights, Township of Stafford, Township of Bedminster, Township of Woodbridge and the Borough of Manville:

WHEREAS, the Rothstein, Mandell, Strohm, Halm & Cipriani law firm has represented several municipalities in Affordable Housing matters including the Townships of Jackson, Little Egg Harbor, Lacey, Manchester, Plumsted and Stafford, and the Borough of Lakehurst; and

WHEREAS, the Parker McCay law firm represents governmental entities and agencies as well as individuals, corporations and organizations, including banks, industry, associations and land developers, in regulatory matters and complex litigation. The firm serves as special affordable housing counsel for numerous municipalities throughout New Jersey; and

WHEREAS, the Rainone, Coughlin, Mincello law firm has extensive experience providing the requested services, and they represent Twp. of Brick, Township of Dover, Township of East Brunswick, East Orange, Matawan, Mount Holly, Plainfield, Rahway, and others; and

WHEREAS, the Marmero Law firm represents several public entities in multiple capacities. The firm has represented and/or continues to represent various municipalities which include Deptford, Eastampton, Galloway, Fairfield, Pittsgrove, Riverside and many others; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Law Firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C., 15 Mountain Blvd., Warren, New Jersey 07059

for professional COAH legal services commencing retroactive March 1, 2024 up to and including December 31, 2024, at the rate of \$195.00/hr. for attorney services, and paralegal services at the rate of \$95.00 per hour in Account No. X-19- -600-027,

contingent upon the execution of a contract, the availability of funds and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XXIV

WHEREAS, the Township of Toms River has a need to retain Environmental Legal Counsel services, including but not limited to applications to the N.J. D.E.P., and State House Commission matters commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal, which were publicly opened and read on February 9, 2024:

1. Chiesa, Shahinian and Giantomasi, P.C., 105 Eisenhower Parkway, Roseland, NJ 07068
2. Law Offices of Wanda Chin Monahan, LLC, 50 Cardinal Drive, Suite 102, Westfield, NJ 07090
3. Maraziti Falcon, LLP, 240 Cedar Knolls Road, Suite 301, Cedar Knolls, NJ 07927

WHEREAS, a review of the submitted proposals revealed that the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented the municipalities of Sayreville, East Brunswick and Verona in environmental legal issues, and the firm employs over 100 attorneys and staff providing a full range of legal services in connection with environmental law and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented clients in connection with waste site cleanups and the reallocation of clean-up costs at sites in New Jersey, New York, Pennsylvania, Ohio, Michigan, and other states; and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, P.C. has represented the Township of Toms River on general environmental issues for many years and is familiar with the facts and legal issues necessary to represent the interests of the Township in a competent and efficient manner; and

WHEREAS, Maraziti Falcon, LLP has the support staff and technology to provide excellent service in a timely fashion. They have represented Asbury Park, Berkeley Heights, Bernardsville, Bordentown Sewerage Auth, Caldwell, Denville, Flemington, Freehold, and others; and

WHEREAS, the Wanda Chin Monahan law firm has represented some of past and present municipalities and/or entities their firm has represented over the last 5 years:

Borough of Ringwood, Hudson County, Jackson Twp., Cranford Twp, Town of Kearny, Cape May County, Borough of Fanwood, and others;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to execute and the Township Clerk to attest to a contract with the firm of:

1. Chiesa, Shahinian and Giantomasi, P.C.

for General Environmental Legal Counsel, including but not limited to applications to the N.J.D.E.P., and State House Commission matters, at the rate of \$220.00 per hour for attorneys, and paralegals at the rate of \$95.00 per hour, commencing retroactive to March 1, 2024 up to and including December 31, 2024, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

PART XXV

WHEREAS, the Township of Toms River has a need to acquire Professional Township Planner Services, commencing retroactive to March 1, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firms submitted a conforming proposal which was publicly opened and read on February 9, 2024:

1. Alaimo Group – Richard A. Alaimo Associates, 200 High Street, Mount Holly, NJ 08060
2. ARH Associates, 215 Bellevue Avenue, Hammonton, NJ 08037
3. CME Associates, 1460 Route 9 South, Howell, NJ 07731

WHEREAS, Alaimo Group has served over forty-five (45) municipalities and utility authorities and over thirty (30) planning and zoning boards. For over 56 years, Alaimo Group has provided professional engineering, planning, permitting, surveying, architectural and construction phase services as Engineer or Planner of record for their municipal clients; and

WHEREAS, ARH Associates works for over 200 clients, performing services in all 21 New Jersey counties and beyond. Redevelopment/Rehabilitation Planning for Absecon, Atlantic City, Wildwood, Egg Harbor Pleasantville, Lakewood, and others; and

WHEREAS, CME Associates possesses the experience, staff, and qualifications to assist the Township's Planning Board in meeting their planning needs; and

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, State of New Jersey, that the Mayor is hereby authorized to execute and the Municipal Clerk is authorized to attest to an agreement with:

1. Alaimo Group

For Township Planner Services for the Township of Toms River, at the rate of \$135.00 per hour plus administrative costs and fees, not to exceed \$30,000.00 for CY24, commencing retroactive to March 1, 2024 up to and including December 31, 2024. Funds for these contracts are available in Account No. 4-01- -L23-534, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk; and

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

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) Certified Financial Officer
- d) Business Administrator
- e) Township Attorney
- f) All Department Heads
- g) Purchasing Division
- h) Township Clerk's Office
- i) Township Municipal Court

j) Piazza & Associates, Inc.
201 Rockingham Row
Princeton, NJ 08540

k) CME Associates
1460 Route 9 South
Howell, NJ 07731

l) Bandywine Green
d/b/a Abbey Glen Pet Memorial Services
126 Turner Lane
West Chester, PA 19380

m) Holman, Frenia, Allison, PC
1985 Cedar Bridge Avenue, Suite 3
Lakewood, NJ 08701

n) Suplee, Clooney & Company
308 East Broad Street
Westfield, NJ 07090

o) Destribats, Campbell LLC
247 White Horse Avenue
Hamilton, NJ 08610

p) Levin, Shea, Pfeffer & Goldman, PA
2110 W. County Line Road, Suite 2
Jackson, NJ 08527

q) Chiesa, Shahinian & Giantomasi
105 Eisenhower Parkway
Roseland, NJ 07068

r) Marmero Law
44 Euclid Street
Woodbury, NJ 08096

s) Parker McCay Law
9000 Midlantic Drive
Mt. Laurel, NJ 08054

t) Archer & Greiner, PC
1025 Laurel Oak Road
Voorhees, NJ 08043

u) Dilworth, Paxson LLP
4 Paragon Way, Suite 400

Freehold, NJ 08724

v) Malamut Associates
457 Haddonfield Road
Suite 500
Cherry Hill, NJ 08002

w) Parker McCay Law
9000 Midlantic Drive
Mount Laurel, NJ 08054

x) Wilentz, Goldman, Spitzer
90 Woodbridge Center Drive, Suite 900
Woodbridge, NJ 07095

y) DiFrancesco, Bateman Law Firm
15 Mountain Boulevard
Warren, NJ 07059

z) Rainone, Coughlin, Minchello Law
555 US Hwy 1 South, Suite 440
Iselin, NJ 08830

aa) Rothstein, Mandell, Strohm, Halm & Cipriani
98 East Water Street
Toms River, NJ 08753

bb) Preferred Behavioral Health of NJ
700 Airport Road
PO Box 2036
Lakewood, NJ 08701

cc) RK Psychology and Neuropsychology Services
2446 Church Road
Suite 3B
Toms River, NJ 08753

dd) Law Offices of Wanda Chin Monahan, LLC
50 Cardinal Drive, Suite 102
Westfield, NJ 07090

ee) Maraziti Falcon Law
240 Cedar Knolls Road
Suite 301
Cedar Knolls, NJ 07927

ff) Acacia Financial Group

6000 Midlantic Drive, Suite 410
N. Mount Laurel, NJ 08054

gg) NW Financial Group
522 Broad Street
Bloomfield, NJ 07003

hh) Phoenix Advisors
625 Farnsworth Avenue
Bordentown, NJ 08505

ii) Norby Golf Design
131 Highland Drive
Carver, MN 55315

jj) ARH Associates
215 Bellevue Ave.
Hammonton, NJ 08037

kk) Colliers Engineering
101 Crawfords Corner Road
Suite 3400
Holmdel, NJ 07733

ll) Remington & Vernick Engineers
2059 Springdale Road
Cherry Hill, NJ 08003

mm) Barlo Governale & Associates LLC
92 Mantoloking Road
Brick, NJ 08723

nn) LAN Associates
445 Godwin Avenue, Suite 9
Midland Park, NJ 07432

oo) Netta Architects LLC
1084 Route 22 West
Mountainside, NJ 07092

pp) Settembrino Architects
37 East Washington Avenue
Atlantic Highlands, NJ 07716

qq) The Musial Group
191 Mill Lane
Mountainside, NJ 07092

rr) Tokarski Millemann Architects
1729 Route 35
Wall, NJ 07719
ss) Pet Services of NJ d/b/a Toms River Animal Hospital
769 Route 37 West
Toms River, NJ 08755

tt) Cummings Veterinary Services
d/b/a East Coast New Jersey Spay Clinic
918 Hazelwood Road
Toms River, NJ 08753

uu) Oakhurst Veterinary Hospital
225 Monmouth Road
Oakhurst, NJ 07755

vv) Mark White, PH. D, PA,
1985 Highway #34, Unit A-3,
Wall, NJ 07719

ww) ACT Engineers Inc.
1 Washington Blvd., Suite 3
Robbinsville, NJ 08691

xx) Alaimo Group
200 High Street
Mount Holly, NJ 08060

yy) ARH Associates
215 Bellevue Ave.
Hammonton, NJ 08037

zz) Colliers Engineering & Design
101 Crawfords Corner Road
Suite 3400
Holmdel, NJ 07733

aaa) French & Parrello
1800 Route 34, Suite 101
Wall, NJ 07719

bbb) Keystone Engineering Group
3836 Quakerbridge Road
Suite 103
Hamilton, NJ 08619

ccc) Morgan Engineering/Morgan Municipal LLC
PO Box 5232

Toms River, NJ 08754

ddd) Owen, Little & Associates Inc.
443 Atlantic City Blvd.
Beachwood, NJ 08722

eee) Remington & Vernick Engineers
2059 Springdale Road
Cherry Hill, NJ 08003

fff) Schaeffer, Nassar, Scheidegg
1425 Cantillon Blvd.
Mays Landing, NJ 08330

ggg) T&M Associates
1144 Hooper Ave., Suite 202
Toms River, NJ 08753
hhh) Van Cleef Engineering Associates LLC
32 Brower Lane
Hillsborough, NJ 08844

iii) CW Solutions Inc.
409 Joyce Killmer Ave.
Suite 120
New Brunswick, NJ 07095

jjj) Mid-State Abstract Company
207 Hooper Avenue
Toms River, NJ 08753

kkk) BBG Inc.
42 Watson Street
Suite C
Detroit, MI 482201

lll) Henry Mancini & Associates
691 Mill Creek Road
Unit 11
Manahawkin, NJ 08050

mmm) New Jersey Realty Advisory Group LLC
485C US Hwy. 1 South
Suite 100
Iselin, NJ 08830

nnn) Memoli & Company PC
222 Oak Avenue
Suite 5

Toms River, NJ 08753

ooo) Dasti & Staiger
310 Lacey Road
PO Box 779
Forked River, NJ 08731

ppp) Hoplite Communications LLC
197 Route 18
Suite 3000
East Brunswick, NJ 08816

qqq) Kevin B. Riordan, Esq. LLC
20 Hadley Avenue
Toms River, NJ 08753

rrr) Law Office of Robert W. Beattie
800 Riverview Drive, Suite 103
Brielle, NJ 08730

sss) Marmero Law, LLC
44 Euclid Street
Woodbury, NJ 08096

ttt) Coffey & Associates
310 South Street
Morristown, NJ 07960

uuu) Weiner Law Group LLP
629 Parsippany Road
Parsippany, NJ 07054

vvv) Alaimo Group – Richard A. Alaimo Assoc.
200 High Street
Mount Holly, NJ 08060

www) Om Worldwide Inc.
d/b/a Mindful Staffing Solutions
6365 Collins Ave., #3607
Miami Beach, FL 33141

xxx) Institute for Forensic Psychology
5 Fir Court
Suite 2
Oakland, NJ 07436

yyy) RK Psychology and Neuropsychology Services
2446 Church Road

Suite 3B
Toms River, NJ 08753

zzz) Inspire Veterinary Services of NJ, PC
d/b/a Whiting Veterinary Clinic
PO Box 15440
Portland, ME 04112

aaaa) Hackensack Meridian Occupational Health d/b/a HMH Occupational Health
2-12 Corbett Way, Suite 101
Eatontown, NJ 07724

bbbb) Yezzi Associates LLC,
18 Washington Street,
Toms River, NJ 08754-1638

cccc) Ronald D. Cucchiaro, Esq., of the Weiner Law Group LLP, 629 Parsippany
Road,
Parsippany, NJ 07054

- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township To Retain Morgan Engineering, Llc/Morgan Municipal Services, As Township Engineer, For Cy 2024, At The Rates Set Forth By The Resolution Pertaining To The Inspection And General Engineering Services For Cy2024

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO RETAIN MORGAN ENGINEERING, LLC/MORGAN MUNICIPAL SERVICES, AS TOWNSHIP ENGINEER, FOR CY 2024,

AT THE RATES SET FORTH BY THE RESOLUTION PERTAINING TO THE INSPECTION AND GENERAL ENGINEERING SERVICES FOR CY2024

MARCH 27, 2024

WHEREAS, the Township of Toms River has a need to acquire the services of a Township Engineer commencing retroactive to March 1, 2024 up to and

including December 31, 2024; and

WHEREAS, the Township of Toms River solicited requests for proposals for such services in accordance with the Fair and Open Process, pursuant to the provisions of N.J.S.A. 19:44A-20 et. seq.; and

WHEREAS, conforming proposals were received for submission date of March 25, 2024 from the following firms and which were publicly open and read:

1. Morgan Engineering, LLC/Morgan Municipal Services, LLC, PO Box 5232,

Toms River, NJ 08754

2. Remington and Vernick Engineers, 2059 Springdale Road,

Cherry Hill, NJ 08003

3. CME Associates, 1460 Route 9 South, Howell, NJ 07731

WHEREAS, Morgan Engineering, LLC/Morgan Municipal Services, LLC, has previously provided engineering services for the Township and the Council has determined that their services were satisfactory and professional; and

WHEREAS, Remington & Vernick has previously provided satisfactory work for the Township of Toms River; and

WHEREAS, CME Associates has previously provided satisfactory work for 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 the Township of Toms River to retain the firm of Morgan Engineering, LLC/Morgan Municipal Services, LLC, as Township Engineer for CY24.

2. The hourly rate will be equal to the hourly rates as set forth by the resolution pertaining to the Pool Inspection and General Engineering Services. The certification of funds available statement with respect to this resolution is on

file in the Office of the Township Clerk.

3. The Township Council of the Township of Toms River, has determined that it is in the best interest of the Township to retain the services of Morgan Engineering, LLC/Morgan Municipal Services, LLC, as Township Engineer for CY24.

4. 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) Township Attorney

d) Chief Financial Officer

e) Purchasing Division

f) Engineering Division

g) Morgan Engineering, LLC/Morgan Municipal Services, LLC, PO Box 5232,

Toms River, NJ 08754

Councilman Quinlisk asked if all Engineering Department is moving to Morgan Engineering and why is there no "not to exceed" amount?

Mayor Rodrick said all Engineering contracts are open ended. Will be cheaper than having Township Engineer. They will run the department.

Robert Burns, 513 Lillie Rd. - Will this company make us their first priority if Town faces another Sandy?

Mayor Rodrick said We have 9 engineer companies in the pool who can do work for us

Julie Adamek, 69 Cedar Grove Rd- Feels because of what has happened over last 3 months in the Town, professionals who would be considering the position may not want to work here. Seems like a conflict of interest as Morgan Engineering is owned by a County Commissioner.

Motion: Approve Resolution H

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Contract Through The Competitive Contracting Process, To A-Academy Termite & Pest Control For Animal Control Services

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE AWARD OF CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS, TO A-ACADEMY TERMITE & PEST CONTROL FOR ANIMAL CONTROL SERVICES

MARCH 27, 2024

WHEREAS, a Summary Report for Evaluation and Award for the Provision of Animal Control Services was prepared by Cassie Capparelli, Qualified Purchasing Agent; and WHEREAS, one proposal was received on March 13, 2024 for the provision of Animal Control Services through the competitive contracting process from A-Academy Termite & Pest Control, 2760 Route 9 South, Howell, NJ, 07731, in accordance with N.J.S.A. 40A:11-4.1 which allows for price and other factors; and WHEREAS, the review committee for this solicitation consisted of Jonathan Salonis, Peter Pasarella and Drew Chabot; and WHEREAS, before reviewing any proposals, each person on the committee reviewed the Ownership Disclosure Documents for the sole vendor and executed the statement certifying that there is no conflict of interest in accordance with the Local Government Ethics Law, N.J.S.A. 40A:9-22.1 et seq.; and WHEREAS, out of one hundred (100) total points, the Committee members scored the vendor as follows:

Vendor Total

A-Academy Termite & Pest Control 94.67 points

The scores were based upon the following observations:

Drew Chabot – The sole bidder demonstrated a clear understanding of the proposed services. They are currently contracted with ten (10) other municipalities within New Jersey and have provided a list of very experienced staff. The pricing provided in the proposal was in line with budgetary estimates.

Peter Pascarella – A-Academy has ample experience providing these services to various other municipalities. He deemed them responsive to the proposal and stated they provided very similar, if not identical, services elsewhere. The vendor provided all required pricing with their submission.

Jonathan Salonis – A-Academy comes highly recommended after speaking with various municipalities who contract with them. As the sole bidder, their proposal was responsive and there was sufficient documentation provided to make a clear evaluation.

WHEREAS, the Committee chose A-Academy Termite & Pest Control, 2760 Route 9 South, Howell, NJ, 07731.

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

1. It hereby awards a contract to A-Academy Termite & Pest Control, 2760 Route 9 South, Howell, NJ, 07731, for Animal Control Services as follows:

Line Item	Description	Quantity	Unit of Measure	Unit Cost	Total
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1	Domestic Animal Impoundment	1	Per Animal	\$195.00	\$195.00
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2	Capture of Sick/Injured Wildlife	1	Per Animal	\$195.00	\$195.00
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3	Rabies Test	1	Per Animal	\$125.00	\$125.00
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4	Pickup of Dead Wildlife on Township Property	1	Per Animal	\$195.00	\$195.00
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5	Rate for Animal Cruelty Investigation	1	Hour	\$ 75.00	\$ 75.00
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2. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Division of Purchasing
- d) Chief Financial Officer
- e) Township Attorney
- f) Animal Shelter
- g) Police Department
- h) Human Services
- i) A-Academy Termite & Pest Control
2760 Route 9 South
Howell, NJ 07731

Denis Gelante, Cherokee Ct- What is the cost of this service compared to in-house animal control officers?

Mayor Rodrick says it will cost hundreds of thousands in savings
Mr. Gelante asked how long will it take for an outside company respond to a call?
Toms River ACO has responded to his call within 7 minutes

Allen Alfano, Vaughn Ave. - Animal Control officer for Toms River and previously worked for Stafford Twp. in same capacity. Stafford had outsourced to A-Academy, but he was asked to come back because they regretted going to private company

Tom, Jacqueline Ct. - Provided data for adoptions at Toms River Animal Shelter vs Ocean County Animal Shelter

Julie Adamek, 69 Cedar Grove Rd. - Different staff at Animal Shelter now than there was in 2021. It is not fair to compare current staff to the previous year's staff. Feels response time with private company would be slower.

Susan Carney, 802 Main St.- Privatizing animal control mean no oversight or transparency for our animals

Michael Cohen, Starc Rd.- Wanted to provide information to correct misinformation, Council president asked he come back during public comment for that

Irene Watson, Messenger St.- Son's dog had gotten out and was rescued by Toms River Animal Shelter and they were very efficient

Liz Dorrick, Pheasant Ln. - Concerned this company does not deal with domestic animals and only specialize in wildlife. Look at mistakes made in other places, lets not fix something that already works

Motion: Table Resolution I Indefinitely

Motion Made By: Thomas Nivison

Seconded: David Ciccozzi

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	No
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of The Firm Of Coronato Law, For Pool General Legal And Litigation Services For Calendar Year 2024, To Be Utilized On An As-Needed Basis

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE RETENTION OF THE FIRM OF CORONATO LAW, FOR POOL GENERAL LEGAL AND LITIGATION SERVICES FOR CALENDAR YEAR 2024, TO BE UTILIZED ON AN AS-NEEDED BASIS

MARCH 27, 2024

WHEREAS, the Township of Toms River has a need to acquire Pool General Legal and Litigation services, on an as-needed basis, commencing retroactive to March 27, 2024 up to and including December 31, 2024; and

WHEREAS, the Township of Toms River solicited proposals for these services in accordance with the Fair and Open Process pursuant to the provisions of N.J.S.A. 19:44A-20.4 et. seq.; and

WHEREAS, the following firm submitted a conforming proposal which was publicly opened and read on March 7, 2024; and

1. Joseph D. Coronato, Sr., Esq.
Joseph D. Coronato, Jr., Esq.
Coronato Law
680 Hooper Avenue, Suite 304
Bldg.C, Second Floor
Toms River, NJ 08753

WHEREAS, Joseph D. Coronato, Sr., has represented Ship Bottom, Barnegat Light, Eagleswood and Tuckerton as Special Borough Attorney, and has 44 years practicing law in New Jersey and is well versed in government law. He operated the Ocean County Prosecutor's Office during his term as county prosecutor; and

WHEREAS, Joseph D. Coronato, Jr., is well versed in New Jersey government law, contract law, contract negotiations, knowledge of Public Employee Retirement System/Police and Firemen Retirement System rules and regulations, etc. He previously served as the Island Heights Land Use Board Attorney while with the Brady & Kunz law firm, and other positions as well;

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

Joseph D. Coronato, Sr., Esq.
Joseph D. Coronato, Jr., Esq.
Coronato Law
680 Hooper Avenue, Suite 304
Bldg.C, Second Floor
Toms River, NJ 08753

for pool general legal and litigation services for 2024, to be used on an as-needed basis, commencing retroactive to March 1, 2024 up to and including December 31, 2024 at the rate of \$135.00 per hour, for a total maximum amount not to exceed \$200,000.00 for CY2024, for all legal firms for all legal services required, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

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

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) Township Administrator
- d) Certified Financial Officer
- e) Township Attorney
- f) Purchasing Dept.
- g) Joseph D. Coronato, Sr., Esq. & Joseph D. Coronato, Jr., Esq.

Coronato Law
 680 Hooper Avenue, Suite 304
 Bldg.C, Second Floor
 Toms River, NJ 08753

Councilman Ciccozzi asked if this was to replace someone from the pool or just to be added?

It was confirmed it is for this firm to be added to the pool.

Motion: Approve Resolution J
Motion Made By: Lynn O'Toole
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi - Yes
 Council Member Lamb - Yes
 Council Member Lobman - Yes
 Council Member Nivison - Yes
 Council Member Quinlisk - Yes
 Council Vice-President O'Toole - Yes
 Council President Coleman - Yes

Reports

11.	Building Department	2024	2023
	Building Permits - February	\$405,061.00	\$307,992.00
	Building Permits - YTD through February	\$801,002.00	\$596,126.00
	Recreation Department	2024	2023
	Bey Lea Golf Course- February	\$20,192.51	\$8,926.30
	Bey Lea Golf Course- YTD through February	\$33,325.88	\$16,308.00
	Winding River Ice Rink- February	\$138,552.00	\$102,352.05
	Winding River Ice Rink- YTD through February	\$301,548.99	\$287,653.04

Motion: Approve the reports
Motion Made By: James Quinlisk
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi Yes
Council Member Lamb Yes
Council Member Lobman Yes
Council Member Nivison Yes
Council Member Quinlisk Yes
Council Vice-President Yes
O'Toole
Council President Yes
Coleman

Approval of Bills

The Township Clerk asked for the Approval of the Bills

The bill list dated March 22, 2024 was approved

Motion: Approve the bill list

Motion Made By: George Lobman

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi Yes
Council Member Lamb Yes
Council Member Lobman Yes
Council Member Nivison Yes
Council Member Quinlisk Yes
Council Vice-President Yes
O'Toole
Council President Coleman Yes

Council Member **Ciccozzi** - None

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

Purchase Order 24-01706, payable to TR Payroll, Magistrate Salaries, in the amount of \$6,619.23

Purchase Order 24-01461, payable to Dasti Mcguckin Attys at Law, in the amount of \$16,284.50

Council Member **Lobman** - None

Council Member **Nivison** - None

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

Purchase Order 24-01427 payable to Board of Fire Commissioners, in the amount of \$810,967.63.

Purchase Orders 24-01387, 24-01391, 24-01413, 24-01619 -payable to Remington & Vernick Engineers, in the amount of \$15,255.61.

Council Vice-President O'Toole - None

Council President Coleman - None

Elected Official's Comments

Councilman Lamb announced kayak racks have been moved at Bayside Park to behind the tennis courts

Councilman Quinlisk said it is the people's responsibility to keep the government in check. We have an efficient police department and asks we let them keep our town safe

Councilman Lobman- No comment

Councilman Nivison- No comment

Councilman Ciccozzi thanked everyone for staying until the end of the meeting and it is important to keep showing up. Spoke on comments made by New Jersey Governor regarding closing a high school in Toms River. Overhaul of Mount Laurel decision. Said he is disappointed to see how the township is being run now compared to last 2 years. There is a benefit to the Business Improvement District. Spoke on expense of cost to run for election. Does not have enough time to review items on agenda before meeting.

Council Vice-President O'Toole wished everyone a Blessed Easter

Council President Coleman says he is disappointed in the way the meeting was run, but thanked everyone for attending

Mayor Rodrick wished everyone a Happy Easter

Public Comments

Council President Coleman opened the floor for Public Comment

Michael Desalvo, Saratoga Community - Concerned for residents of his community because of traffic issues and water drainage. Due in part to construction happening behind community.

Eileen, Saratoga Community - First time attending a Council Meeting and shocked at the

behavior of the Council. Spoke on issues with development around her community that was allowed by the Township.

Paul Williams, Broad Street- Spoke about the amount power of Council President in regard to running meetings and setting agendas.

Neela Simms, 5301 Belmont Ct.- Issues within Saratoga Community, access into community are Rt 70 and Whitesville. Needs a traffic light at that intersection and would like the Town's help. Also problems with construction vehicles passing through community and litter.

Dennis Galante, Cherokee Ct.- Asked about where animal shelter donations will go if leased to the County. Attorney Greg Mcguckin explained it depends on what the donations were for, reviewing large donation that was made. Also asked what has happened to the past council meetings that were posted on the website and have since been removed. Mayor Rodrick said he was not aware of anything being removed. Mr. Gallante then asked when we'll have the 2024 proposed budget, Mayor Rodrick said the budget is due in April and will be out soon.

Robert Burns, 531 Lillie Rd- Happy with Animal Control resoltuon was tabled. He'd like the township to keep it in house because they care more for the town than an outside company. Presented ideas for singe for Animal Shelter.

Carlos Amizar, 11 Winteringham - As a businessman, it is better to hire local so they spend money in our town. Hoping to bring business to town to create more jobs.

Bob Tormollan, Messenger St.- Spoke about how the agenda which is posted online, is different from the agendas which were printed for the public provided at the meeting. This is not a Mayor's meeting, it is the Council's Meeting. Tired of lies and incorrect numbers.

Phil Brilliant, 79 Hollytree Lane - Thanked Clerk for hardwork on the verification of the petition. Hopes to have positions restored now that ordinance had been repealed. There was a \$400,000 shared service grant for EMTs which was never presented to Council. Asked who the Purchasing Agent and Direcor of Engineering is and said Director should be Township employee. Referenced study in regard to improvements needed to parking garage and architect for Bey Lea facade

Dana Tormollan, Messenger St. - Thanked residents for supporting the petition. Upset by lies being told at meetings.

Richard Cuillo, Adams Ave. - Thanked Councilman Lamb for taking time to speak with him. Would like to see land use applications prior to being voted on. Asked for clarification on ordinance regarding staffing numbers. Mayor Rodrick said positions cannot be added to exceed the limit of positions set by ordinance. Would Council consider amending ordinance to allow for more patrolmen? Attorney McGuckin said the ordinance could be amended if Council chose to.

Kevin McCormick, 53 Seabreeze Rd. - Having issues with work that was being done on home.

Alan Alfano, Vaughn Ave.- Asks that updated statistic be used since changes have been made.

Chris Raimann, 111 Flag St. - Thanked Council for tabling Animal Control ordinance. Asked how any member of Council knows how to staff any department.

Geri Ambrosio, Millstone Ct.- Ased for clarification on item C, was transfer of funds only for specificic event?

Carlos Amizar, 11 Winteringham- Asked for name calling at the meetings to stop

Virginia Wnek, 217 Ashlar Way - Asked who runs YouTube channel for the Township and who authorized the council meeting videos be removed. Mayor Rodrick said no one had authorized the meetings be taken down.

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Executive Session

- RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing An Executive Session To Discuss Confidential Matters Covered Under N.J.S.A. 10:4-12B Including Executive Session Minutes Review And Pending Litigation

RESOLUTION Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Authorizing An Executive Session To Discuss Confidential Matters Covered Under N.J.S.A. 10:4-12B Including Executive Session Minutes Review And Pending Litigation

Motion: Approve going into executive session at 10:30pm

Motion Made By: Thomas Nivison

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi Yes
Council Member Lamb Yes
Council Member Lobman Yes
Council Member Nivison Yes
Council Member Quinlisk Yes
Council Vice-President Yes
O'Toole
Council President Coleman Yes

Motion: Approve to go back into Public Session 10:38pm

Motion Made By: George Lobman

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi Yes
Council Member Lamb Yes
Council Member Lobman Yes
Council Member Nivison Yes
Council Member Quinlisk Yes
Council Vice-President Yes
O'Toole
Council President Yes
Coleman

Motion: Approve Minutes from February 14, 2024 Executive Session

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi Yes
Council Member Lamb Yes
Council Member Lobman Yes
Council Member Nivison Yes
Council Member Quinlisk Yes
Council Vice-President Yes

O'Toole
Council President Yes
Coleman

No other business appearing, the meeting was **adjourned** at 10:39PM on motion with Council Member O'Toole, seconded by Council Member Nivison, and carried with Council Members, Ciccozzi, Lamb, Lobman, Quinlisk and Council President Coleman voting yes.

Motion: Adjourn the Council Meeting

Motion Made By: Lynn O'Toole

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi Yes
Council Member Lamb Yes
Council Member Lobman Yes
Council Member Nivison Yes
Council Member Quinlisk Yes
Council Vice-President Yes
O'Toole
Council President Coleman Yes

EXHIBIT H

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Thursday, April 11, 2024
5:00 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: March 27, 2024 Regular Council Meeting**
6. **Honoring Resolutions and Presentations:**

Ordinances - Final Readings

7. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Repealing Ordinance No. 4792-24 Of The Township Code Of The Township Of Toms River Titled "Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement"

Ordinances- First Readings

8. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement With Docksider Marina Llc, To Lease A Section Of

Block 1097.01, Lot 172, For Township-Operated Recreational Kayak Launch And Associated Amenities

Resolutions

9. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Of Toms River To Accept A Grant Award From The New Jersey Department Of Community Affairs, Division Of Local Government Services, Local Efficiency Achievement Program (Leap), In The Amount Of \$171,000.00, For A Shared Services Agreement With The Borough Of Island Heights, For Waste Collection

10. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To Shared Services Agreements Between The Township Of Toms River And The Barrier Island Towns, Including The Borough Of Lavallette, The Borough Of Seaside Heights, The Borough Of Seaside Park And The Township Of Berkeley For Ems Services

Reports

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL MINUTES
Thursday, April 11, 2024
5:00 PM**

1. Meeting called to order.

A Regular Meeting of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 5:01 PM.

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

2. Flag salute.

3. Open Public Meetings Act statement.

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Monday, April 8, 2024, and the Star Ledger and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk. This meeting was also posted on the Township web page.

4. ROLL CALL:

CICCOZZI	<u>Absent</u>
LAMB	<u>Present</u>
LOBMAN	<u>Absent</u>
NIVISON	<u>Present</u>
QUINLISK	<u>Present</u>
O'TOOLE	<u>Present</u>
COLEMAN	<u>Present</u>

Motion: Excused absence for Councilmember Ciccozzi

Motion Made By: James Quinlisk

Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Excused absence for Councilmember Lobman

Motion Made By: Thomas Nivison

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

5. **Minutes: March 27, 2024 Regular Council Meeting**

Motion: Approve Minutes

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

6. **Honoring Resolutions and Presentations:**

There were no honoring resolutions or presentations.

Ordinances - Final Readings

7. **ORDINANCE** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Repealing Ordinance No. 4792-24 Of The Township Code Of The Township Of Toms River Titled "Amending And Supplementing §§50-3B, 50-3G, And 50-3R Of The Township Code To Revise The Roster Of Positions Within The Department Of Law Enforcement"

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

SECTION 1. Purpose. Ordinance 4792-24 amended §§50-3B, 50-3G, and 50-3R of Chapter 50 of the Township Code titled Department of Law Enforcement. It is the intention of this Ordinance to repeal Ordinance 4792-24. All other Sections and Provisions of Chapter 50 of the Township Code shall remain in full force and effect.

SECTION 2. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor and twenty (20) days after publication as required by law.

SECTION 3. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.

SECTION 4. If any part of this Ordinance is invalidated for any reason by a court of competent jurisdiction, that part is severed and the remaining portion shall remain in full force and effect.

Council President Coleman opened the floor for Public Comment

Jerry Nappi, Monroe Ave, Toms River- Does not feel safe in town anymore. Feels we are bending rules to one person.

Liz Dorrick, Pheasant Lane, Toms River- Spoke about Mayor's comments from last meeting regarding police positions and wanted to correct Public Information Officer should not be referred to as "PR Person." Made reference to Councilwoman O'Toole's comments about outrageous salaries, but said this was never about salaries.

Irene Watson, Messenger St., Toms River- Asked if the amount of patrolmen would be downsized. Mayor Rodrick said no, same amount of patrolmen.

Julie Adamek, Cedar Grove Road, Toms River- Spoke on increase in crime in Toms River. Need strong administration in Police Department.

Chris Raimann, 111 Flack St., Toms River- Police department is being downsized and crime is increasing.

Paul Williams, Broad St., Toms River- Advises Council to listen to both Mayor and

objective person. It is the Council President's right as to what goes on the agenda. LEAP grant was available but not added to an agenda because Council only listened to Mayor.

Mayor Rodrick said there was never a shared service agreement for this grant
Councilman Quinlisk said though Cheif could not negotiate a shared service agreement, he could present it.

Bob Tormollan, 109 Messenger St., Toms River- Starting salary for EMT is more than starting Police Officer

Mayor Rodrick said wages are to make it compitive to attract EMTs
Councilman Quinlisk Police and CSO unions have steps in their contracts

Jillian Messina, Opatut Ct., Toms River- Grant was available and DCA can come to meetings and discuss grants. Sugessted town hire a grant writer.

Motion: Close public comment
Motion Made By: Thomas Nivison
Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Aprove Item 7
Motion Made By: Justin Lamb
Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes

Ordinances- First Readings

8. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement With Docksider Marina Llc, To Lease A Section Of Block 1097.01, Lot 172, For Township-Operated Recreational Kayak Launch And Associated Amenities

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. Pursuant to N.J.S.A. 40A:12-3(a), the Mayor is authorized to execute and the Township Clerk to attest to a Lease Agreement between the Township of Toms River ("Township") and Docksider Marina LLC ("Docksider"), whereby the Township will lease a section of Block 1097.01, Lot 72, located at the intersection of Harborside Drive and Sixth Terrace in the Ortley Beach Section of the Township, to continue leasing a certain section of the Docksider Marina for continued use and benefit of a Township-operated recreational kayak launch and associated amenities, including five (5) Township-constructed kayak racks.
2. The term of this lease is for two (2) years, retroactive to April 1, 2024 and terminating on March 31, 2026. However, upon written consent of both parties, this lease may be renewed for an additional two (2) year period, commencing on April 1, 2026 and terminating on March 31, 2028, under the same terms and conditions, subject to Council passing a Resolution authorizing the lease renewal. The Township shall pay Docksider \$8,000 per annum, by the 1st of June, for each of the first two years, as well as the subsequent two years, should the parties agree to renew the lease for said period. A copy of the lease agreement is attached to this Ordinance as Schedule "A," and Exhibits "A" and "B" are attached to this Ordinance and are made a part hereof.
3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.
4. The Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty (20) days after publication as required by law.
5. Since this Ordinance is not legislative in nature, it need not be codified in the Code of the Township of Toms River, New Jersey.

Motion: Approve Item 8

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Resolutions

9. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Of Toms River To Accept A Grant Award From The New Jersey Department Of Community Affairs, Division Of Local Government Services, Local Efficiency Achievement Program (Leap), In The Amount Of \$171,000.00, For A Shared Services Agreement With The Borough Of Island Heights, For Waste Collection

WHEREAS, the State of New Jersey has allocated \$3.275 million in Local Efficiency Achievement Program (LEAP) funds to promote shared service initiatives among peer local units across New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, LEAP Implementation Grants provide reimbursement for qualifying expenses incurred in the implementation of a local or regional service agreements, or for the coordination of programs and services authorized under the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

WHEREAS, the LEAP Implementation Grant exists to help cover costs associated with shared services implementation, including one-time reimbursable costs for project completion of transition support for municipalities and counties; and

WHEREAS, the Township of Toms River has agreed to be the lead agency in this program; and

WHEREAS, the Township Council of the Township of Toms River, acknowledges and accepts the responsibility of acting as administrator for this grant on behalf of all participating local units; and

WHEREAS, the Township Council of the Township of Toms River received a Notice of Award from the Department of Community Affairs, Division of Local Government Services (DLGS) of its eligibility to receive a LEAP Grant in the amount of \$171,000.00; and

WHEREAS, the purpose of this award is to provide funding to the Island Heights Solid Waste Collection and Disposal;

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, that the Township Council does hereby accept the award of \$171,000.00, to fund the Island

Heights Solid Waste Collection and Disposal;

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. Chief Financial Officer
- F. Grant Coordinator
- G. State of New Jersey

Department of Community Affairs
Division of Local Government Services
01 South Broad Street
P.O. Box 800
Trenton, N.J. 08625-0800

Motion: Approve Item 9

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

10. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To Shared Services Agreements Between The Township Of Toms River And The Barrier Island Towns, Including The Borough Of Lavallette, The Borough Of Seaside Heights, The Borough Of Seaside Park And The Township Of Berkeley For Ems Services

WHEREAS, volunteer services for Emergency Medical Services ("EMS") have significantly decreased over the years, causing a substantial public health and welfare crisis; and

WHEREAS, this public health and welfare crisis has been especially felt in

Townships located on the Barrier Island; and

WHEREAS, Toms River Township intends to address this substantial need by placing an ambulance twenty-four hours per day and seven days per week in its section of the Barrier Island Community, which will serve as backup to the volunteer EMS services of Seaside Park, Seaside Heights, Lavallette, and Berkeley Township, in exchange for those Townships providing backup services to Toms River as needed;

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

1. The Mayor is authorized to execute and the Township Clerk to attest to Shared Services Agreement(s) between the Township of Toms River and Barrier Island Towns, including the Borough of Lavallette, the Borough of Seaside Heights, the Borough of Seaside Park and the Township of Berkeley for EMS Services.

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) Certified Financial Officer
- f) Purchasing Division
- g) Toms River Police Department
- h) Clerk

Borough of Lavallette
1306 Grand Central Avenue
Lavallette, NJ 08735

i) Clerk
Borough of Seaside Heights
901 Boulevard
Seaside Heights, NJ 08751

j) Clerk
Borough of Seaside Park
1701 North Ocean Avenue
Seaside Park, NJ 08752

k) Township Clerk
Township of Berkeley
627 Pinewald-Keswick Road
PO Box B
Bayville, NJ 08721

Mayor Rodrick says he spoke with Mayors of Barrier Islands to back up other towns. Will ask state for grant money for an island based EMS service. This would be a one time grant, not something we can budget for.

Councilman Quinlisk- No information on this, but did speak with another Mayor who did confirm a meeting took place for this. There is already an agreement available.

Mayor Rodrick said this resolution allows town to enter into agreement before applying.

Motion: Approve Item 10
Motion Made By: Lynn O'Toole
Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Abstain
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Reports

Approval of Bills

The Township Clerk asked for the Approval of the Bills

The bill list dated April 11, 2024 was approved

Motion: Approve the bill list
Motion Made By: Lynn O'Toole
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

The following abstentions were made:

Council Member Lamb abstained due to Business conflicts on the following:
Purchase Order 24-01934, payable to TR Payroll, Magistrate Salaries, in the amount of
\$6,619.23

Council Member **Nivison** - None

Council Member Quinlisk abstained due to Business conflicts on the following:
Purchase Order 24-01672 -payable to Remington & Vernick Engineers, in the amount of \$2,103.50.
Purchase Order 24-02011- Payable to TEC Elevator, in the amount of \$725.00

Council Vice-President O'Toole - None

Council President Coleman - None

Elected Official's Comments

Councilman Lamb- Supports plan to put EMS on the Barrier Island

Councilman Quinlisk- Tri Boro First Aid does cover Seaside Heights, Seaside Park and Island Beach State Park, though it may not be 24 hours. Down to 112 police officers plus the 2 captains. Mentioned Council President was given Township vehicle.
Council President responded saying it is only used for Township business such as ribbon cuttings. Willing to turn it in.

Councilman Nivison- No comment

Councilwoman O'Toole- Respects people in the audience but if everyone agreed with them and didn't agree with us there would be no room for anybody. Tax increase years ago affected residents.

Council President Coleman- Read rules of public comment.

Councilman Lamb asked to reduce the time limit on public comment from 5 minutes to 3 minutes.

Motion: Amend public comment time from 5 minutes to 3 minutes

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Public Comments

Jerry Nappi- Monroe Ave, Toms River- Requested Mayor face public when speaking

Dennis Gallante, 1149 Cherokee Lane, Toms River- Violated own resolution by making public comment time 3 minutes. Asked if time expires, does he get an additional 2 minutes as per Robert's Rules. Does Mayor or Council view OPRA requests. Attorney McGuckin said no OPRA's are privileged and could potentially be viewed by anyone. Spoke on deadlines for Municipal Budget adoption.

Phil Brilliant- 79 Hollytree Lane, Toms River - Thanked Councilmembers for attending ceremony at B'nai Israel. Asked about status for MCCUO task force, Councilman Nivison said it is in progress. Asked if there is a due date for the latest report on the parking garage. Mayor said there was no written report yet, but is not structurally compromised. Taking money from positions and moving it elsewhere, is defunding. Asked Council to consider having 2 meetings per month.

Dana Tomollan, Messenger St. Toms River- Spoke about community coming together

Dennis Gallante, 1149 Cherokee Lane, Toms River- Asked for answer on budget. Jon Salonis responded saying the state would allow an extension to the next regular scheduled Council meeting on April 24. Asked if full text for consent agenda resolutions can be made available which was previously discussed at last meeting, was it discussed? Does Council review each item before meetings?

Irene Watson, Messenger St, Toms River- Addressed Toms River Bulletin, shows what Mayor has done or plans to do. Asked why Toms River Times was removed from the lobby. Attorney Pascarella explained advertisements can only in designated areas, and the lobby is not one. Ambulance can do more than police car can.

Paul Williams, Broad St., Toms River- "riot is the voice of unheard." Saving 2 minutes on public comment is council and mayor and BA maneuvering in ways to limit peoples input.

Bob Tormollan, Messenger St., Toms River- Beach replenishment last year cost \$304,913.13, not \$500,00.00 like Mayor had said in previous meeting. Asked why Council meeting videos are not posted online. Pay Mayor part time salary.

Chris Raimann, 111 Flack St., Toms River- Who is going to govern improper use of Township vehicles?

Julie Adamek, Cedar Grove Rd., Toms River- Was dismayed by Toms River Bulletin, said false information was provided in there about police salary and animal shelter.

Joe Nardini, Derry Dr., Toms River- why are pump jacks holding up structure of parking garage when it was said work was not needed? Mayor said to hold up top coat of cement, but not structural.

Tom Fratella, Jacklyn Ct., Toms River- Spoke about incident where EMS was helpful. Willing to pay tax for police and EMS. Provided information regarding Animal Shelter.

Allen Alfano, Vaughn ave., Toms River- thanked Council for tabling animal control officer resolution from last meeting. Asked where ACOs will work if the shelter is leased to the County and those positions are not privatized.

Julie Adamek, Cedar Grove Rd., Toms River- Wanted to inform all the status of the Animal Shelter will be voted on on April 24. Spoke about shelter numbers in Toms River Bulletin show previous years.

Jodi Piaz- Spoke about experience with animals while working for non profit animal rescue.

Art Anderson, 12 Park St., Toms River- Can we go back to having department heads answer questions at meetings. Councilman Lamb believes Councilmembers should have those answers.

Carlos Amizar, Winterinham, Toms River- Has not seen any Councilmembers at neighborhood watch meetings and crime is up. Wants to go back to 5 minute public comment.

Ellen Margraff, Lanoka Harbor- Respectively asked Council not to close the animal shelter.

Stacy Wycoff, Brick, NJ- Works for Jackson shelter and was informed Toms River is not taking in animals. Mayor said that is incorrect. Asked where 1 million dollar donation is. Mayor said some has been spent to get industrial washer and dryer into building.

Tom Fratella, Jacklyn Ct., Toms River- spoke about agenda availability in accordance with Open Public Meeting Act. Plan was to never close shelter, but rather have County take over.

Jodi Piaz- Problem with holding dogs at shelter who have a bite history. Also issues with feral rabbits.

Phil Brilliant- 79 Hollytree Lane, Toms River- Washer and dryer for animal shelter cost \$19,000, and \$3,500.00 to install, not \$60,000.

Crysal Hendriks- Skylark Dr.- Dog ate through some wall, but not a hole. Dog was stressed.

Motion: Close Public Comment

Motion Made By: Lynn O'Toole
Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Executive Session

There was no need for an executive session.

Motion: Adjourn meeting at 7:15pm

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Absent
Council Member Lamb	Yes
Council Member Lobman	Absent
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

EXHIBIT I

app.

ANIMALS

Toms River mayor, councilman start shouting match over what to do with animal shelter

Four-minute read



Jean Mikle

Asbury Park Press

Published 5:30 a.m. ET April 26, 2024 | Updated 5:30 a.m. ET April 26, 2024

TOMS RIVER - The Township Council agreed to lease Toms River's Animal Shelter to Ocean County for \$1 a year, in spite of pleas by numerous residents and an impassioned attempt by Councilman Thomas Nivison to table the measure.

"I have not heard one person tell me they want the shelter to go to the county," Nivison said, before he made an unsuccessful attempt to table the shelter lease ordinance indefinitely. "My constituents, not one person."

The council voted 4 to 3 to lease the building to the county for \$1 annually for 30 years. Nivison and Councilmen James Quinlisk and David Ciccozzi voted against leasing the building, while Council President Craig Coleman, Vice President Lynn O'Toole and Councilmen Justin D. Lamb and George Lobman voted in favor of the lease.

The lease must be approved by the county to go into effect; the Ocean County shelter system is run by the Board of Health.

Will the mayor fight it? Toms River downtown plan has 64 apartments, stores

Township Attorney Gregory P. McGuckin said the lease contains a clause that allows the township to reclaim the shelter if the county fails to utilize it, after giving the county 60 days notice. Either the county or the township can also terminate the lease agreement after giving the other party 120 days notice, McGuckin said.

The council took action after a lengthy public comment period in which a number of

speakers panned the idea of leasing the shelter to Ocean County. Residents and workers at animal rescue groups praised the workers at the Toms River shelter. Michael Cohen, a part-time kennel aide at the facility, said that during the past two years, the shelter has earned a "no-kill" designation, which means 10% or fewer of the animals there have been euthanized.

"We are able to afford all our intakes the necessary time that they need to find the right adopter," he said.

Dr. Robert Cimer, a Toms River resident and veterinarian who worked with the Toms River shelter for 15 years when his practice was located in town, was one of many to question what would happen to such as like rabbits, guinea pigs and reptiles, which are not accepted at Ocean County's shelter. Toms River's shelter accepts those pets, and also accepts injured wildlife if local wildlife rehabilitators cannot immediately take those animals.

New in Toms River: Harry's Smokin' BBQ takes delicious food off the wheels and into restaurant

"The pet and wildlife concerns of a town of 100,000 people are far too great to be a satellite facility of the county shelter," he said.

Nivison, who owns Silverton Farm, previously was able to get council majority support to indefinitely table a measure that would have privatized animal control in Toms River, eliminating the jobs of the township's four animal control officers.

He was not successful Wednesday night, and got into a shouting dispute with Mayor Daniel Rodrick, his running mate in last year's election for mayor and three council seats.

Councilman Lamb made an initial motion to approve the lease agreement with the county, but Coleman allowed Nivison to speak before a vote on the motion. Nivison made a motion, seconded by Quinlisk, to table the measure, saying he had just received the lease minutes before the council's 6 p.m. meeting, and had only read it quickly. Even so, he said, he "found lots of problems with it", including the 30-year length of the lease.

Want a pet? It's a great time to adopt a dog or cat from a Jersey Shore animal shelter. Here's why

"First of all, who gives a lease for 30 years, right off the bat?" Nivison said. "Unheard of. ...

I have lots of problems with this lease. I have problems with the county taking it over. The mayor knows how passionate I am about this. I say table it, and we'll revisit it another time."

Nivison received a standing ovation from the audience.

When Township Clerk Mike Cruoglio called on a vote for the motion to table, Rodrick interrupted, saying, "There was a motion from Councilman Lamb on this. ... It came before that motion!"

"There was a motion to table this!" Nivison yelled.

"There was a motion from Lamb for 12!" Rodrick said, raising his voice. The lease ordinance was number 12 on the agenda.

"We need to tear the Band-Aid off!" Nivison said to Coleman.

McGuckin explained that a motion to table always takes precedence. The council majority defeated the motion to table, and then approved the lease. "Cowards!" a woman shouted out from the audience.

"This is B.S., I'm sorry. We just voted on something, we have no idea," Nivison said. "I know I'm out of line. Throw me out."

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

ORDINANCE OF THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE OCEAN COUNTY BOARD OF HEALTH AUTHORIZING THE LEASING OF CERTAIN MUNICIPAL PROPERTY PURSUANT TO N.J.S.A. 40A:12-14(B)

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

SECTION 1. Pursuant to N.J.S.A. 40A:12-14(b), the Township of Toms River may enter into a lease with another public body, upon such terms and conditions, including nominal or other consideration, if it is in the best interest of the municipality to do so. The Township Council has determined that it is in the best interest of the Township of Toms River to lease the Township's current animal facility to the Ocean County Board of Health to operate a county animal shelter within Toms River, the county seat. In so doing the taxpayers of the Township of Toms River will be relieved from paying twice for such animal shelter services since the County of Ocean already operates two (2) animal shelters paid for with county taxpayer funds, while the residents of Toms River Township also pay for the Township's operation of a similar facility and therefore pay twice for such services. This Ordinance will alleviate this additional tax burden from the residents of Toms River Township so that they may receive the same county services as all other residents of Ocean County with respect to such services.

SECTION 2. The Township hereby authorizes a lease of the subject property in accordance with the terms of the lease agreement attached hereto as Exhibit A.

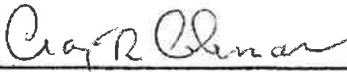
SECTION 3. This ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty days after publication as required by law.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

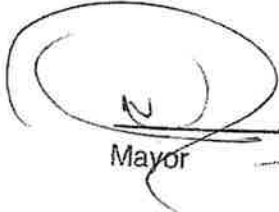
SECTION 5. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

L-March 27, 2024-19

Passed 4-24-24



Council President



Mayor

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, April 24, 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:**
6. **Honoring Resolutions and Presentations:**
 - a. National Poppy Day

Resolutions

7. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Amending Rules and Regulations For Public Meetings Of the Township Council
8. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Appointment Of Jonathan Salonis As Acting As Chief Financial Officer Retroactive To March 23, 2024
9. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey Authorizing The Reading Of The Township Of Toms River 2024
Calendar Year Budget By Title Only

10. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Hearing Of And Approving The 2024 Toms River Special Improvement District Budget

Ordinances - Final Readings

11. **ORDINANCE** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement Between The Township Of Toms River And The Ocean County Board Of Health Authorizing The Leasing Of Certain Municipal Property Pursuant To N.J.S.A. 40A:12-14(B)
12. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement With Docksider Marina Llc, To Lease A Section Of Block 1097.01, Lot 172, For Township-Operated Recreational Kayak Launch And Associated Amenities

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.

13. Consent Items
 - a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Approving Amusement Games License Application For Barnacle Bill's, Inc.
 - b. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Correcting A Resolution From September 13, 2023 Authorizing The Sale Of A Plenary Retail Consumption License For The Sale Of Alcoholic Beverages In The Township
 - c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Sale Of Abandoned And/Or Unclaimed Motor Vehicles Pursuant To N.J.S.A. 39:10a-1 et seq.
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Renewal Of Massage Business Licenses
 - e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Aftermarket Automotive Parts And Related Items (Bid-2024-145), To Napa Autoparts, D&W Diesel Inc., And Eastern Warehouse Distributors Inc. Who Provided The Highest Percentage Discount, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids

- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Printed Flat Forms (Bid-2024-106), To Concept Printing Inc., Parsells Printing, Ridgewood Press, Trec And Kay Printing
- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Work, Sport And Lifeguard Clothing For Various Departments In The Township (Bid-2024-107), To Dot Designing, Keyport Army Navy And Original Watermen, As The Lowest Responsive, Responsible Bidders Meeting All The Bid Specifications, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids
- h. **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 Labrie (Or Equivalent) Repair Parts To Granturk Equipment Co., Inc., As The Sole Bidder Meeting All The Bid Specifications
- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Uniform And Specialty Items (Bid-2024-125) To Action Uniform Co., Atlantic Tactical, Inc. And Keyport Army Navy, As The Lowest Responsive, Responsible Bidders Meeting All Of The Bid Specifications, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids
- j. **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 Motor Oils, Antifreeze, Greases And Lubricants Rebid To Acj&R Supply Llc, As The Sole Responsive, Responsible Bidder, Meeting All The Bid Specifications (Bid-2024-126-1)
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing To Solicit Quotes For The Use Of An Electronic Tax Sale Platform For The Tax Collector'S Office, Which Shall Not Exceed The Township'S Bid Threshold Of \$44,000.00
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Clerk To Attest To An Agreement With The New Jersey State Association Of Chiefs Of Police, Inc., For The Administration Of Written Examinations For The Position Of Police Officer
- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Contract To Purchase Ammunition Required By The Police Department, From Atlantic Tactical Using Federal Dea Seizure Funds, Utilizing Nj State Contract 17-Fleet-00732 Entitled "Law Enforcement Firearms Equipment And Supplies", Which Expires May 13, 2024, In The Total Maximum Contract Amount Not To Exceed \$48,305.20
- n. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Supply Of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing & Bunker Sand Rebid Items To Various Vendors, And Authorize The Appropriate Township Officials To Negotiate Those Items Receiving No Bids

- o. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 1108.52, Lot 150 And 152 (3261 Windsor Avenue)
- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 625, Lot 17, 19, 21, 23 & 25 (931 Gilbert Avenue)
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Site Plan Known As Gateway Toyota, Block 691, Lot 6.01, 12.01 And 28 (417 Route 37 East)
- r. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Of Toms River Correcting The Resolution Dated April 11, 2024 Authorizing The Township Of Toms River To Accept A Grant Award From The New Jersey Department Of Community Affairs, Division Of Local Government Services, Local Efficiency Achievement Program (Leap), In The Amount Of \$171,000.00, For A Shared Services Agreement With The Borough Of Island Heights, For Waste Collection, And Authorizing The Business Administrator To Execute Agreement
- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To An Equipment Rental Agreement Between The Township Of Toms River And Club Car LLC, For The Software For The Connectivity Program For The 64 Golf Carts For The Bey Lea Golf Course
- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Solid Waste Collection Agreement Between The Township Of Toms River And The Ortle House Condo Association, For The Collection Of Solid Waste And Recyclable Materials, Pursuant To The Municipal Services Act, N.J.S.A. 40:67-23.1-23.8
- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey to Amend The 2024 Temporary Budget Pursuant To N.J.S.A. 40a:4-20

Reports

14.	Building Department	2024	2023
	Building Permits -	\$186,902.00	\$365,997.00

March		
Building Permits - YTD through March	\$966,588.00	\$945,582.00

Recreation Department	2024	2023
Bey Lea Golf Course- March	\$209,916.27	\$176,660.92
Bey Lea Golf Course- YTD through March	\$243,241.85	\$192,968.92
Winding River Ice Rink- March	\$118,043.98	\$113,561.00
Winding River Ice Rink- YTD through March	\$419,592.97	\$401,214.04

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Wednesday, April 24, 2024 7:00 PM

1. Meeting called to order.

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 7:00 PM.

2. Flag salute.

Council President Coleman opened with the salute to the Flag.

3. Open Public Meetings Act statement.

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

OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Thursday, January 4, 2024, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Tuesday January 2, 2024, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, January 1, 2024. The meeting dates have also been posted on the Township web page.

4. **ROLL CALL:**

CICCOZZI	Present
LAMB	Present
LOBMAN	Present
NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

5. **Minutes: Special Council Meeting April 11, 2024**

Motion: Approve Meeting Minutes

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

6. **Honoring Resolutions and Presentations:**

Motion: Approve Honoring Resolutions and Proclamations

Motion Made By: Thomas Nivison

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

a. National Poppy Day

Mayor and Council presented members of American Legion with a proclamation

Township of Toms River Poppy Proclamation

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and
WHEREAS, Poppies are worn and displayed as a symbolic tribute to our fallen and the future of living veterans and service members; and
WHEREAS, At the end of World War I, the American Legion adopted the poppy as a symbol of freedom and blood sacrificed by troops in wartimes; and
WHEREAS, The use of the poppy symbolically comes from the poem In Flanders Fields, which begins, "In Flanders Fields the poppies blow, between the crosses, row on row," referring to the poppies that sprang up in the churned earth of battlefields across Belgium and France where soldiers died fighting; and
WHEREAS, The red poppy has been designated as a symbol of sacrifice of lives in all wars and the American Legion Family has long utilized the red poppy as its official flower; and
WHEREAS, The American Legion and its Ladies Auxiliary have pledged to remind America annually of this debt through the distribution of the memorial flower
NOW, THEREFORE, I, Daniel T. Rodrick, and the Township Council, do hereby support the designation of May 24, 2024, as "National Poppy Day;" and encourage all citizens, residents, and visitors in Toms River to pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

Resolutions

7. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Amending Rules and Regulations For Public Meetings Of the Township Council

RESOLUTION AMENDING RULES AND REGULATIONS FOR PUBLIC MEETINGS OF THE TOWNSHIP COUNCIL

APRIL 24, 2024

BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER in the County of Ocean, State of New Jersey, as follows:

WHEREAS, the Council passed a resolution establishing rules and regulations for Council meetings at its annual re-organization meeting held on January 1, 2024;
WHEREAS, the Council seeks to promote and encourage participation from more members of the public that attend Council meetings;
NOW, THEREFORE, BE IT RESOLVED, that the Council of the Township of Toms River hereby amends the rules and regulations for council meetings as follows:
(1) For public comment during the general comment period in accordance with N.J.S.A. 10:4-12, as well as during public comment on second and final readings of an ordinance

in accordance with N.J.S.A. 40:49-2, the time limit is hereby set to three (3) minutes; (2) During the general public comment period only, a member of the public may, with permission from Council President, speak for an additional two (2) minutes, only after each other member from the public that chooses to speak has had an opportunity to do so.

BE IT FURTHER RESOLVED that all other provisions of the rules and regulations for Council meetings passed at the January 1, 2024 re-organization meeting shall remain in full force and effect; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided by the Office of the Township Clerk to each of the following: Mayor, Council, Township Attorney, and Business Administrator.

Motion: Approve Item 7

Motion Made By: Lynn O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

8. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Appointment Of Jonathan Salonis As Acting As Chief Financial Officer Retroactive To March 23, 2024

APRIL 24, 2024

WHEREAS, there is a vacancy in the position of Chief Financial Officer, due to the resignation of the prior Chief Financial Officer, Judith Tutela; and

WHEREAS, Mayor Daniel T. Rodrick has nominated Jonathan Salonis to serve as Acting Chief Financial Officer retroactive to March 23, 2024; and

WHEREAS, the Township Council acknowledges that Jonathan Salonis, by virtue of his education and experience, will effectively discharge the duties of Acting Chief Financial Officer;

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

1. The Chief Financial Officer submitted her resignation effective March 23, 2024.
2. Mayor Daniel T. Rodrick has nominated Jonathan Salonis to serve as Acting Chief

Financial Officer until such time as a Chief Financial Officer is retained by the Township.

3. The Township Council consents to the appointment of Jonathan Salonis as Acting Chief Financial Officer, retroactive to March 23, 2024.

4. 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) Finance Dept.
- g) Human Resources
- h) Payroll Department
- i) All Department Heads
- j) Jonathan Salonis

Councilman Nivison asked how long this appointment would be for. Mayor Rodrick explained this is temporary, and there is a require for someone to be named CFO to introduce budget.

Motion: Approve Item

Motion Made By: Lynn O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

9. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Reading Of The Township Of Toms River 2024

Calendar Year Budget By Title Only

April 24, 2024

Whereas, the statutory requirements regarding advertising, posting and availability of the 2024 Calendar Year Local Municipal Budget have been met;
NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, NEW JERSEY, as follows:

1. The 2024 Calendar Year Local Municipal Budget of the Township of Toms River shall be read by title only pursuant to Statute.

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

- a. Municipal Attorney
- b. Auditor
- c. State of New Jersey Div. of Local Government Services
PO BOX803
Trenton, NJ 08625

Motion: Approve Item 9
Motion Made By: Lynn O'Toole
Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Mayor Rodrick thanked Council for approving this resolutuons. Balanced budget with 0% tax increase.

10. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Hearing Of And Approving The 2024 Toms River Special Improvement District Budget

April 24, 2024

WHEREAS, the Toms River Township Business Improvement Budget is stated, below

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

1. It hereby adopts the Toms River Business Improvement District Budget for 2024

as:

S01 Ratables \$171,932,000

S02 Ratables \$ 61,812,100

Total 2023 Revenue to be raised by taxation

S01 Budget \$257,400.00

S02 Budget \$ 28,600.00

S01 Proposed 2023 Tax Rate \$0.150

S02 Proposed 2023 Tax Rate \$0.047

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

- a) Chief Financial Officer
- b) Township Attorney
- c) Township Auditor
- d) Tax Assessor
- e) Tax Collector
- f) Division of Local Government Services
101 S. Broad Street
P. O. Box 803
Trenton, NJ 08625-0803
- g) Ocean County Board of Taxation
118 Washington Street
Toms River, New Jersey 08753
- h). Toms River Business Improvement District
Toms River Business Development Corporation
53 Main Street
Toms River, NJ 08753

Council President Coleman opened the floor for Public Comment:

Marin Bennett- Executive Director of Toms River Business Improvement District-
Spoke on events being put on by BID in 2024

Dennis Galante- 1149 Cherokee Ct, Toms River- Why is this a resolution and a public

comment, and the other previous resoltuons were not? Assistant Township Attorney explained this is required by state statue.

Motion: Close Public Comment
Motion Made By: James Quinlisk
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Approve Item 10
Motion Made By: James Quinlisk
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

11. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Approving An Agreement Between The Township Of Toms River And The International Association Of Firefighters Local #4846 Establishing The Terms Of A New Four-Year Collective Negotiations Agreement Effective May 1, 2024 Through December 31, 2027

APRIL 24, 2024

WHEREAS, the current collective negotiations agreement between the Township of Toms River and the International Association of Firefighters, Local 4846, representing the Community Service Officers (CSOs) employed by the Township has been superseded

by this new Agreement; and

WHEREAS, the parties have negotiated a successor collective negotiations agreement, the terms of which are set forth in the Agreement attached as Schedule "A" to this resolution; and

WHEREAS, these agreed-upon terms shall be memorialized in a new four-year collective negotiations agreement effective May 1, 2024, through December 31, 2027; and

WHEREAS, the terms of this new agreement are mutually beneficial to both parties:

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

1. The Agreement between the Township of Toms River and the International Association of Firefighters, Local 4846, attached as Schedule "A" and Schedule "B" to this resolution, is hereby approved.
2. The Mayor is hereby authorized to execute and the Township Clerk to attest to the attached Agreement.
3. This Agreement shall be memorialized in a new four-year collective negotiations agreement effective May 1, 2024. The Mayor is hereby authorized to execute and the Township Clerk to attest to that agreement.
4. A certified copy of this resolution, and the attached Agreement, shall remain on file in the Office of Township Clerk.
5. The Township Clerk shall provide a certified copy of this resolution and the attached Agreement to the following parties:
 1. Mayor Daniel T. Rodrick
 2. Township Council
 3. Business Administrator
 4. Director of Human Resources
 5. Township Attorney
 6. Chief Financial Officer
 7. Emergency Management Coordinator
 8. Police Department
 9. Dominick J. Rotondo, President, IAFF Local # 4846

International Association of Firefighters Local #4846

Mayor Rodrick explained this is an agreement for the EMS workers

Motion: Approve Item 11

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No

Council Vice-President O'Toole
Council President Coleman

Yes
Yes

Ordinances - Final Readings

12. **ORDINANCE** Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement Between The Township Of Toms River And The Ocean County Board Of Health Authorizing The Leasing Of Certain Municipal Property Pursuant To N.J.S.A. 40A:12-14(B)

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

SECTION 1. Pursuant to N.J.S.A. 40A:12-14(b), the Township of Toms River may enter into a lease with another public body, upon such terms and conditions, including nominal or other consideration, if it is in the best interest of the municipality to do so. The Township Council has determined that it is in the best interest of the Township of Toms River to lease the Township's current animal facility to the Ocean County Board of Health to operate a county animal shelter within Toms River, the county seat. In so doing the taxpayers of the Township of Toms River will be relieved from paying twice for such animal shelter services since the County of Ocean already operates two (2) animal shelters paid for with county taxpayer funds, while the residents of Toms River Township also pay for the Township's operation of a similar facility and therefor pay twice for such services. This Ordinance will alleviate this additional tax burden from the residents of Toms River Township so that they may receive the same county services as all other residents of Ocean County with respect to such services.

SECTION 2. The Township hereby authorizes a lease of the subject property in accordance with the terms of the lease agreement attached hereto as Exhibit A.

SECTION 3. 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.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. If any part of this ordinance is invalidated for any reason by competent authority, that part is severed and the remaining provisions shall remain in full force and effect.

Council President opened the floor for public comment:

Dennis Galente- 1149 Cherokee Lane, Toms River- Asked if Council disputes euthanasia numbers between Township and County. Councilman Nivison said there is no dispute and Mayor Rodrick does dispute the numbers. Galante asked where Mayor's numbers came from. Mayor said they came from the state.

Michael Cohen- Starc Rd, Toms River- Lease of Shelter is not on agenda for Ocean

County Board of Health, so how can we have this agreement? Is money still owed on a mortgage on our facility? Will County operate the shelter the way it is currently run, eg: taker in wildlife? Toms River Shelter achieved "no kill status" and Ocean County has not. Adoption fees should ne reinstated. Attorney McGuckin explained County has reviewed the lease, has to be adopted first. Lease can be terminated if not utilized within its current operations.

Dawn Lazar-Fredella, Jacklyn Ct, Toms River- Read letter on behalf of Elizabeth Porcelli who could not be in attendance, is in opposition of leasing the shelter to Ocean County.

Robert Cimer, Washington St, Toms River- Veterinarian in Toms River who was contracted to work with Toms River Animal Shelter. Concerned for privatization and restructuring of shelter. Current shelter is most clean municipal shelter and well trained staff.

Debra Geisinger, Lost Dog Search and Rescue Non-Profit, 6 Brandies Ct, South Toms River- Works closely with Toms River Shelter. Concerned about privatization. This has nothing to do with welfare of animals, but rather political aspirations.

Alison Menke, Sunset Dr, Lacey Twp.- Has been a manager at animal rescue, familiar with finding animals homes. Need to look at this with a humane perspective.

Debbie Kersey, 14th St, Toms River- Why make decisions about animals when there is no knowledge of them. Feels like this is a vendetta, and animals are victims of the agenda.

Julie Adamek, 69 Cedar Grove Rd, Toms River- Referenced 2012 Toms River Patch article about Toms River Residents financed Animal Shelter. County only deal with cats and dogs.

Crystal Hendricks, Sky Lark Dr, Toms River- Read statement from volunteer at shelter urging Council to not pass this ordinance.

Jody Piaz, Cream Ridge, NJ- No dedicated board at shelter. Decisions should be based on front line workers.

Donald Bonica , 1916 Kenilworth Ct, Toms River- Federal wildlife rehabilitator. Toms River ACO are great workers and Toms River has great facility.

Michelle Goodwin, Island Heights- Volunteers at shelter. Employees care about animals and try to avoid euthanasias. Do not lease to the county.

Barbara Syker , 820 Pacific ave, Beachwood- Working with shelter for over 6 years, employees go above and beyond. Don't break up our home.

Robert Burns, 531 Lillie Rd, Toms River- People should have to pay to adopt animals at the shelter.

Tom Fredella, Jacklyn Ct, Toms River- Spoke on information which was emailed to Council via Clerk. Always tries to have accurate information on things he speaks on. His numbers are correct.

Dawn Lazar-Fredella, Jacklyn Ct, Toms River- Volunteers at shelter. Shelter is not underperforming.

Lauren Denoma, Berkely Heights, NJ- Toms River sets the gold standard for excellence in animal welfare.

Joe Prince, 1959 Railway ave, Ortley Beach- Recently adapted dog from shelter and had a great experience with employees at the Toms River animal shelter. Town this large should not have own dedicated shelter.

Linda Scott, 5 Bassit Ct, Toms River- 25 years ago town put in first shelter. Toms River has best Animal Control Officers and full of rescues. Lets not go backwards.

Marybeth Koch, 1700 Riviera Ct, Point Pleasant- Rescue Ridge animal shelter. Terrible to give animals away for free. Toms River shelter is clean and organized and had dedicated staff. Should be proud of shelter.

Bob Tormollan, 109 Messenger St, Toms River- Why is the property not named in the title of odinace? Attorney McGuckin said it is in the lease agreement and does not need to be in the title.

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Table Item 10

Motion Made By: Thomas Nivison

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	No
Council Member Lobman	No
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	No
Council President Coleman	No

Motion: Approve Item 10

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	No
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

13. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement With Docksider Marina Llc, To Lease A Section Of Block 1097.01, Lot 172, For Township-Operated Recreational Kayak Launch And Associated Amenities

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. Pursuant to N.J.S.A. 40A:12-3(a), the Mayor is authorized to execute and the Township Clerk to attest to a Lease Agreement between the Township of Toms River ("Township") and Docksider Marina LLC ("Docksider"), whereby the Township will lease a section of Block 1097.01, Lot 72, located at the intersection of Harborside Drive and Sixth Terrace in the Ortlely Beach Section of the Township, to continue leasing a certain section of the Docksider Marina for continued use and benefit of a Township-operated recreational kayak launch and associated amenities, including five (5) Township-constructed kayak racks.
2. The term of this lease is for two (2) years, retroactive to April 1, 2024 and terminating on March 31, 2026. However, upon written consent of both parties, this lease may be renewed for an additional two (2) year period, commencing on April 1, 2026 and terminating on March 31, 2028, under the same terms and

conditions, subject to Council passing a Resolution authorizing the lease renewal. The Township shall pay Docksider \$8,000 per annum, by the 1st of June, for each of the first two years, as well as the subsequent two years, should the parties agree to renew the lease for said period. A copy of the lease agreement is attached to this Ordinance as Schedule "A," and Exhibits "A" and "B" are attached to this Ordinance and are made a part hereof.

3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.
4. The Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty (20) days after publication as required by law.
5. Since this Ordinance is not legislative in nature, it need not be codified in the Code of the Township of Toms River, New Jersey.

Council president opened the floor for public comment:

Dennis Galante- 1149 Cherokee Ct, Toms River - Why isn't Animal Shelter Ordinance on Township website in its entirety like this one is?

Joe Prince, 1959 Railway ave, Ortley Beach - Only reason people knew about this meeting was because they volunteered at the shelter

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Approve Item 13

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
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Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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.

14. Consent Items

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

Items to be read separately: A, B, C, D, E , F,G, H, I, J, K, L, M, N, O, P, Q, R, S , T,U, V, W, X

- a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Approving Amusement Games License Application For Barnacle Bill's, Inc.

April 24, 2024

WHEREAS, the Township of Toms River has adopted an ordinance to provide for the licensing, conduct, operation and playing of certain amusement games in accordance with the "Amusement Licensing Law" (Chapter 109, P.I. 1959) and fixed the fees for said licenses; and

WHEREAS, the ordinance provides for all of the premises to which licenses are to be issued which are located in this municipality which said municipality has heretofore been designated by Ordinance No. 4458-14 as a seashore. or resort area with parts hereof customarily constituting an amusement or arcades can operate lawfully: and

WHEREAS, the barrier island sections of the Township qualify as seashore or resort areas in which designated amusements or entertainment zones can be established: and

WHEREAS, the said applicant has complied with the "Amusement Games Licensing Law" (Chapter 109, P.I. 1959), the rules and regulations promulgated by the Office of

Amusement Games Control Commission in the Department of Community Affairs and the State of New Jersey, and with local ordinances, have submitted the proper license fees and application and is being the desire of this governing body to grant said license.

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

1. It hereby approves of Amusement Game License to Barnacle Bill's, Inc. attached, located at 1968 Route 35 North Ortley Beach, N.J. 08751 to operate from April 27, 2024 to April 27, 2025.

2. A Certified copy of this resolution shall be provides by the Officeof the Township Clerk to each of the following:

1. Mayor
2. Attorney
3. Business Administrator
4. Township Council
5. Mitchell Little, Chief of Police
6. Barnacle Bill's Inc

1968 Route 35 North
Ortley Beach, NJ 08751

7. NJ Department of Law & Public Safety

Division of Consumer Affairs
Legalized Games of Chance Control Commission
P.O. Box 46000
Newark, NJ 07101

Motion: Approve Item A
Motion Made By: Justin Lamb
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- b. **RESOLUTION** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Correcting A Resolution From September 13, 2023 Authorizing The Sale Of A Plenary Retail Consumption License For The Sale Of Alcoholic Beverages In The Township

April 24, 2024

WHEREAS, by Ordinance 4750-22 the Township provided for an additional plenary retail consumption alcoholic beverage license based on the 2020 census; and

WHEREAS, the Township Council has determined this additional plenary consumption license be sold at a public sale through competitive bidding pursuant to N.J.S.A. 33:1-19.3:

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

1. The public sale of the additional plenary retail consumption license provided for under Ordinance 4750-22 is hereby authorized. The license shall be offered for sale through competitive public bidding pursuant to N.J.S.A. 33:1-19.3.
2. The Township Clerk shall publish notice of the sale in accordance with N.J.S.A. 33:1-19.1. In addition to conventional publication, notice shall also be posted on the Township's official website and social media platforms. The public notice is attached and incorporated herein by reference.
3. The minimum bid price for this plenary retail consumption license is \$500,000.00. A deposit in the amount of 10% of the bid shall be submitted with the bid proposal. The successful bidder shall submit the balance within 30 days following the acceptance of the bid by the Township Council.
4. The Township Council reserves the right to reject any and all bids.

5. A certified copy of this resolution shall remain on file in the Office of the Township Clerk and provided to the following parties:
 - a. Mayor
 - b. Business Administrator
 - c. Chief Financial Officer
 - d. Township Attorney
 - e. Purchasing Agent

Councilman Ciccozzi asked for clarification on this resolution

Motion: Approve Item B

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi

Yes

Council Member Lamb

Yes

Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing The Sale Of Abandoned And/Or Unclaimed Motor Vehicles Pursuant To N.J.S.A. 39:10a-1 et seq.

April 24, 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 sale at public auction of the following abandoned and/or unclaimed motor vehicles pursuant to the provisions of N.J.S.A. 39:10A-1 et seq., on May 8, 2024 at 11:00 a.m. at Priced-Rite Towing: **Vehicles for Auction with Titles:**

Request to hold abandoned vehicle auctions on May 8, 2024 at the following locations and times:

Priced-Rite Towing, 24 Germania Station Rd., Toms River, NJ at 11:00 a.m.

YEAR	MAKE	VIN#
2019	DUTCHMAN	47CTD2P226M426163
2019	NISSAN	5N1AT2MV9KC844127
2014	TOYOTA	5TDBKRFHXES049327

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

- a) Attorney
- b) Chief of Police Mitch Little
- c) Chief Financial Officer

d) Priced-Rite Towing
24 Germania Station Road
Toms River, NJ 08755

Motion: Approve Item C
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Renewal Of Massage Business Licenses

April 24, 2024

WHEREAS, the following application for

Massage business licenses have been made under the

Provisions of Ordinance numbers 1606 and 1682:

MASSAGE BUSINESS

05-24 Orient Spa
1740 Lakewood Rd
Toms River, NJ 08753

09-24 Y&Y Massage Spa
542 Fischer Blvd
Toms River, NJ 08753

10-24 Blue Moon Therapy
1242 Route 166

Toms River, NJ 08753

11-24 Good Day Spa
1231 Route 166
Toms River, NJ 08753

12-24 Massage Haven LLC
917 Route 166
Toms River, NJ 08753

13-24 New Harmony Spa
708 Fischer Blvd
Toms River, NJ 08753

14-24 King Acupressure
970 Lakewood Rd
Toms River, NJ 08753

15-24 Massage Envy
2 Route 37 West
Toms River, NJ 08753

WHEAREAS, said applicants have complied with all the requirements of Ordinance numbers 1606 and 1682, Chapter 357, of the "Code of the Township of Toms River, New Jersey," with respect to licensing; and

WHEREAS, the appropriate licensing fee has been paid

To the Township of Toms River;

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. The Township Clerk is hereby authorized to issue the licenses Listed in the preamble hereof.

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

- a. Attorney
- b. Chief of Police
- c. Code Enforcement
- d. Applicants listed above

Motion: Approve Item D

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Aftermarket Automotive Parts And Related Items (Bid-2024-145), To Napa Autoparts, D&W Diesel Inc., And Eastern Warehouse Distributors Inc. Who Provided The Highest Percentage Discount, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids

APRIL 24, 2024

WHEREAS, bids were invited for the Furnishing and Delivery of Aftermarket Automotive Parts and Related Items; and

WHEREAS, five (5) bids were received on April 4, 2024 from the following vendors:

A.T. Northern New Jersey LLC D&W Diesel Inc.
525 W. Linden Avenue 1503 Clark Street Road
Linden, NJ 07036 Auburn, NY 13021

Eastern Warehouse Distributors Inc. NAPA Auto Parts
355 S. Flowers Mill Road 1770 New Durham Road
Langhorne, PA 19047 South Plainfield, NJ 07080

Neopart Transit
5 Dutch Court
Sinking Springs, PA 19608

WHEREAS, the bids have been reviewed by the Division of Roads and Sanitation, and recommendation has been made to award open-ended contracts for the Furnishing and Delivery of Aftermarket Automotive Parts and Related Items (BID-2024-145) to NAPA Auto Parts, D&W Diesel Inc. and Eastern Warehouse Distributors Inc., as the vendors who provided the highest percentage discount, for the following items:

NAPA Auto Parts - Line Item: 1.

D&W Diesel Inc. - Line Items: 2, 4, 5, 6, 8, 9, 11 and 12.

Eastern Warehouse Distributors Inc. - Line Items: 3, 7 and 10.

The following line items received no bids and will be re-bid: 13 and 14.

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

1. It hereby awards open-ended contracts for the Furnishing and Delivery of Aftermarket Automotive Parts and Related Items (BID-2024-145) to NAPA Auto Parts, D&W Diesel Inc. and Eastern Warehouse Distributors Inc., as the vendors who provided the highest percentage discount, for the following items:

NAPA Auto Parts - Line Item: 1.

D&W Diesel Inc. - Line Items: 2, 4, 5, 6, 8, 9, 11 and 12.

Eastern Warehouse Distributors Inc. - Line Items: 3, 7 and 10.

2. The following line items received no bids and will be re-bid: 13 and 14.
3. These contracts shall commence the Date of Award for a period of twelve (12) consecutive months. Pursuant to N.J.S.A. 40A:11-15, these contracts may be extended for no more than one (1) two-year, or two (2) one-year extensions after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contracts are to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.
4. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year. The award of these contracts is subject to all the terms and conditions of the bid specifications.
5. The appropriate Township Officials are hereby authorized to advertise and receive bids for those items that received no bids.
6. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Division of Roads and Sanitation
- e) Police Department
- f) Emergency Management
- g) Public Works Department
- h) Division of Parks, Buildings & Grounds
- i) All Aforementioned Bidders

- f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Printed Flat Forms (Bid-2024-106), To Concept Printing Inc., Parsells Printing, Ridgewood Press, Trec And Kay Printing

APRIL 24, 2024

WHEREAS, bids were invited for the Furnishing and Delivery of Printed Flat Forms; and **WHEREAS**, five (5) bids were received on February 13, 2024, from the following vendors:

Advanced Computer Concepts Parsells Printing
T/A TREC 938 Spring Valley Road
808 Lowell Avenue Maywood, NJ 07607
Toms River, NJ 08753

Concept Printing Inc. Ridgewood Press
40 Lydecker Street 609 Franklin Turnpike
Nyack, NY 10960 Ridgewood, NJ 07450

Kay Printing
220 Entin Road
Clifton, NJ 07014

WHEREAS, the bids have been reviewed by the Purchasing Division, and it is their recommendation that contracts be awarded to the following vendors:

Concept Printing Inc: 2, 3, 4, 6, 7, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 48, 49, 51, 52, 55, 58, 59, 60, 62, 63, 65, 66, 68, 70, 71, 78, 80, 81, 82, 83, 84, 87, 88, 89, 90, 91, 92, 95, 97, 98, 100, 101, 103, 106, 107, 108, 109, 113, 114, 117, 118, 124, 125, 126, ,131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156 and 157

Parsells Printing: 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 56 and 67

Ridgewood Press: 1, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 45, 46, 50, 53, 61, 72, 73, 74, 75, 76, 85, 86, 94, 96, 99, 102, 104, 105, 110, 115, 116, 119, 120, 121, 122, 123 and 127

TREC: 54, 57, 64, 129 and 130

Kay Printing: 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 69, 77, 79, 93, 111, 112, 128 and 144

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 contracts for the Furnishing and Delivery of Printed Flat Forms to the following vendors:

Concept Printing Inc: 2, 3, 4, 6, 7, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 48, 49, 51, 52, 55, 58, 59, 60, 62, 63, 65, 66, 68, 70, 71, 78, 80, 81, 82, 83, 84, 87, 88, 89, 90, 91, 92, 95, 97, 98, 100, 101, 103, 106, 107, 108, 109, 113, 114, 117, 118, 124, 125, 126, ,131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156 and 157

Parsells Printing: 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 56 and 67

Ridgewood Press: 1, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 45, 46, 50, 53, 61, 72, 73, 74, 75, 76, 85, 86, 94, 96, 99, 102, 104, 105, 110, 115, 116, 119, 120, 121, 122, 123 and 127

TREC: 54, 57, 64, 129 and 130

Kay Printing: 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 69, 77, 79, 93, 111, 112, 128 and 144

2. These contracts 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 award of these contracts are subject to all the terms and conditions of the bid specifications.

3. These contracts shall commence from April 24, 2024 for a period of twelve (12) consecutive months. The Township shall have the option to extend the contracts 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.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Council
- d) Township Attorney
- d) All Departments
- e) All Aforementioned Bidders

Motion: Approve Item F

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Work, Sport And Lifeguard Clothing For Various Departments In The Township (Bid-2024-107), To Dot Designing, Keyport Army Navy And Original Watermen, As The Lowest Responsive, Responsible Bidders Meeting All The Bid Specifications, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids

APRIL 24, 2024

WHEREAS, bids were invited for the Furnishing and Delivery of Work, Sport and Lifeguard Clothing for Various Departments in the Township; and

WHEREAS, three (3) bids were received on February 13, 2024 from the following vendors:

Dot Designing	Keyport Army Navy	Original Watermen
242 Possum Hollow Rd	PO Box 985	1198 Joshua Way
Monroe Twp, NJ 08831	Brick, NJ 08723	Vista, CA 92081

WHEREAS, the bids have been reviewed by the Purchasing Division and utilizing departments, and recommendation has been made to award open-ended contracts to Dot Designing, Keyport Army Navy and Original Watermen, who, as the lowest responsive, responsible bidders, meet all the bid specifications, for the following items:

Line Items shall be awarded as follows:

Dot Designing: Item Nos. 1-6, 17, 18, 20-23, 28-31, 34-37, 40-70, 72-85, 87-99, 106-149, 151, 152, 157-165, 185-188, 195-202, 218-225, 228, 229, 232, 233, 243-252, 255, 256, 259-264 and 269-276.

Keyport Army Navy: Item Nos. 7-16, 19, 24-27, 32, 33, 100-105, 153-156, 166-184, 189-194, 203-217, 226, 227, 234-242, 253, 254, 257, 258, 265-268 and 277-292.

Original Watermen: Item Nos. 38, 39, 150, and 304-314.

Line Item 87 shall be awarded to the second lowest bidder because the lowest bidder failed to meet the required specifications.

Line Items 293-296 and 298-303 shall be rejected and rebid pursuant to N.J.S.A. 40A:11-15a, whereas the lowest bid substantially exceeds the cost estimates for the goods.

Line Items 71, 86, 230, 231 and 297 received no bids and shall be rebid.

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

1. It hereby awards open-ended contracts for the Furnishing and Delivery of Work, Sport and Lifeguard Clothing for Various Departments in the Township (BID-2024-107), to Dot Designing, 242 Possum Hollow Rd., Monroe Twp., NJ, 08831, Keyport Army Navy, PO Box 985, Brick, NJ, 08723, and Original Watermen, 1109 Joshua Way, Vista, CA, 92081, who, as the lowest responsive, responsible bidders, meet all the bid specifications, as follows:

Dot Designing: Item Nos. 1-6, 17, 18, 20-23, 28-31, 34-37, 40-70, 72-85, 87-99, 106-149, 151, 152, 157-165, 185-188, 195-202, 218-225, 228, 229, 232, 233, 243-252, 255, 256, 259-264 and 269-276.

Keyport Army Navy: Item Nos. 7-16, 19, 24-27, 32, 33, 100-105, 153-156, 166-184, 189-194, 203-217, 226, 227, 234-242, 253, 254, 257, 258, 265-268 and 277-292.

Original Watermen: Item Nos. 38, 39, 150, and 304-314.

2. Line Item 87 shall be awarded to the second lowest bidder because the lowest bidder failed to meet the required specifications.

3. Line Items 293-296 and 298-303 shall be rejected and rebid pursuant to N.J.S.A. 40A:11-15a, whereas the lowest bid substantially exceeds the cost estimates for the goods.

4. Line Items 71, 86, 230, 231 and 297 received no bids and shall be rebid.

5. The contract shall commence April 24, 2024 for a period of twelve (12) consecutive months. 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.

6. These will be open-ended contracts with funds being encumbered each time an order is placed, contingent upon the availability of funds in the appropriate municipal budget year. The award of these contracts is subject to all the terms and conditions of the bid specifications.

7. The appropriate Township Officials are hereby authorized to advertise and receive bids for those items that received no bids.

8. The certification of funds available statement with respect to this resolution is on file in

the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Police Department
- e) Emergency Management
- f) Public Works Department
- g) Division of Parks, Buildings & Grounds
- h) Recreation Department
- i) Senior Center
- j) Youth Center
- k) Winding River Ice Skating Rink
- l) Bey Lea Golf Course
- m) Animal Shelter
- n) Dot Designing
242 Possum Hollow Rd.
Monroe Twp., NJ 08831
- o) Keyport Army Navy
PO Box 985
Brick, NJ 08723
- p) Original Watermen
1198 Joshua Way
Vista, CA 92081

Motion: Approve Item G

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- h. **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 Labrie (Or Equivalent) Repair Parts To Granturk Equipment Co., Inc., As The Sole Bidder Meeting All The Bid Specifications

APRIL 24, 2024

WHEREAS, bids were invited for the Supply of Labrie (or equivalent) Repair Parts for the Department of Public Works; and

WHEREAS, one bid was received on February 13, 2024, from the following vendor:

Granturk Equipment Co., Inc.
1 Schuylkill Parkway
Bridgeport, PA 19405

Discount % off Current Labrie Repair Parts Price List: 5%

WHEREAS, the bid has been reviewed by the Purchasing Division and the Department of Public Works, and they have recommended that the award of an open-ended contract be made to Granturk Equipment Co., Inc., as the sole bidder meeting all the bid specifications;

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

1. It hereby awards a contract for the Furnishing and Delivery of Labrie (or equivalent) Repair Parts to Granturk Equipment Co., Inc., 1 Schuylkill Parkway, Bridgeport, PA, 19405, as the sole bidder meeting all the bid specifications. The 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.
2. The contract shall commence retroactive to April 12, 2024 for a period of twenty-four (24) 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 after the expiration of the original contract period. This contract is subject to all the terms and conditions of the bid specifications.
3. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Department of Public Works
- e) Granturk Equipment Co., Inc.
1 Schuylkill Parkway
Bridgeport, PA 19405

Councilman Quinlisk asked for clarification on what this is for

Motion: Approve Item H

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi

Yes

Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Furnishing And Delivery Of Uniform And Specialty Items (Bid-2024-125) To Action Uniform Co., Atlantic Tactical, Inc. And Keyport Army Navy, As The Lowest Responsive, Responsible Bidders Meeting All Of The Bid Specifications, And Authorizing The Appropriate Township Officials To Advertise And Receive Bids For Those Items Receiving No Bids

APRIL 24, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award contracts to various vendors for the Furnishing and Delivery of Uniform and Specialty Items; and **WHEREAS**, three (3) bids were received on February 13, 2024 from the following vendors:

Action Uniform Co. Atlantic Tactical, Inc. Keyport Army Navy
 1500 S. New Road 763 Corporate Circle PO Box 985
 Pleasantville, NJ 08232 New Cumberland, PA 17070 Brick, NJ 08723

WHEREAS, the above bids were reviewed by the Division of Purchasing and the utilizing departments, and they have recommended that items shall be awarded as follows:
 Line Items shall be awarded as follows:

Action Uniform Co: Item Nos. 1, 2, 3, 6, 8, 9, 10, 13, 14, 15, 17, 18, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 51, 52, 54, 60, 61, 62, 63, 64, 65, 66, 67, 68, 77, 78, 81, 83, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 101, 102, 103, 107, 108, 109, 110, 111, 112, 113, 116, 117, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 133, 134, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 153, 154, 155, 156, 157, 158, 159, 161, 170, 171, 174, 175, 176, 177, 185, 200, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213 and 214.

Atlantic Tactical, Inc.: Item Nos. 149, 150, 151, 152, 162, 163, 164, 165, 166, 167, 168, 169, 172, 173, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 201, 202 and 203.

Keyport Army Navy: Item Nos. 4, 5, 7, 11, 12, 16, 19, 24, 25, 26, 27, 48, 49, 53, 55, 56, 57, 58, 59, 69, 70, 71, 72, 73, 74, 75, 76, 79, 80, 82, 84, 85, 89, 99, 100, 104, 105, 114,

115, 118, 120, 131, 132, 135 and 136.

Line Item 50 shall be rejected to revise the specifications and shall be rebid.

Line Items 106 and 160 shall be rejected and rebid pursuant to N.J.S.A. 40A:11-15a, whereas the lowest bid substantially exceeds the cost estimates for the goods.

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

1. It hereby awards open-ended contracts for the Furnishing and Delivery of Uniform and Specialty Items (BID-2024-125) to Action Uniform Co., Atlantic Tactical, Inc. and Keyport Army Navy as the lowest responsive, responsible bidders meeting all of the bid specifications, as follows:

Action Uniform Co: Item Nos. 1, 2, 3, 6, 8, 9, 10, 13, 14, 15, 17, 18, 20, 21, 22, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 51, 52, 54, 60, 61, 62, 63, 64, 65, 66, 67, 68, 77, 78, 81, 83, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96, 97, 98, 101, 102, 103, 107, 108, 109, 110, 111, 112, 113, 116, 117, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 133, 134, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 153, 154, 155, 156, 157, 158, 159, 161, 170, 171, 174, 175, 176, 177, 185, 200, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213 and 214.

Atlantic Tactical, Inc.: Item Nos. 149, 150, 151, 152, 162, 163, 164, 165, 166, 167, 168, 169, 172, 173, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 201, 202 and 203.

Keyport Army Navy: Item Nos. 4, 5, 7, 11, 12, 16, 19, 24, 25, 26, 27, 48, 49, 53, 55, 56, 57, 58, 59, 69, 70, 71, 72, 73, 74, 75, 76, 79, 80, 82, 84, 85, 89, 99, 100, 104, 105, 114, 115, 118, 120, 131, 132, 135 and 136.

2. Line Item 50 shall be rejected to revise the specifications and shall be rebid.

3. Line Items 106 and 160 shall be rejected and rebid pursuant to N.J.S.A. 40A:11-15a, whereas the lowest bid substantially exceeds the cost estimates for the goods.

4. The Term of Contract shall commence retroactive to April 22, 2024 for a period of twelve (12) consecutive months.

5. The Township shall have the option to extend the contracts 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.

6. The method of award shall be on a Per Line-Item Basis. These contracts 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 year. The award of these contracts is subject to all the terms and conditions of the bid specifications.

7. The appropriate Township officials are hereby authorized to advertise and receive bids for those items receiving no bids.

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

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

- a) Purchasing Division
- b) Certified Financial Officer
- c) Township Attorney
- d) All Departments
- f) All Aforementioned Bidders

Motion: Approve Item I

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- j. **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 Motor Oils, Antifreeze, Greases And Lubricants Rebid To Acj&R Supply Llc, As The Sole Responsive, Responsible Bidder, Meeting All The Bid Specifications (Bid-2024-126-1)

APRIL 24, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Furnishing and Delivery of Motor Oils, Antifreeze, Greases and Lubricants rebid; and WHEREAS, vendors from the initial bid opening on February 13, 2024, were awarded contracts at the February 28, 2024 Township Council meeting; and WHEREAS, only one (1) bid was received from the following vendor at the rebid opening on April 3, 2024, and deemed responsive by the Purchasing Division:
ACJ&R Supply LLC
550 W. Ingham Ave.
Ewing, NJ 08638-5036

WHEREAS, the Division of Roads and Sanitation and the Police Department reviewed vendor bid pricing/brand equivalents, and have recommended awarding line items nos. 46, and 55 to ACJ&R Supply LLC, as the sole responsive, responsible bidder, meeting all the bid specifications;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of

Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards an open-ended contract for the Furnishing and Delivery of Motor Oils, Antifreeze, Greases and Lubricants Rebid to the following vendor:

ACJ&R Supply LLC
550 W. Ingham Ave.
Ewing, NJ 08638-5036

2. The contract shall commence on the Date of Award through February 27, 2025. Pursuant to N.J.S.A. 40A:11-15, this contract may be extended for no more than one (1) year extension 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 contracts are 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. 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 year. The award of these contracts is subject to all the terms and conditions of the bid specifications.

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

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Township Attorney
- d) Roads and Sanitation
- e) Police Department
- f) ACJ&R Supply LLC
550 W. Ingham Ave.
Ewing, NJ 08638-5036

Motion: Approve Item J

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing To Solicit Quotes For The Use Of An Electronic Tax Sale Platform For The Tax Collector'S Office, Which Shall Not Exceed The Township'S Bid Threshold Of \$44,000.00

APRIL 24, 2024

WHEREAS, the Division of Purchasing requests authorization to solicit quotes for the use of an electronic tax sale platform for the Township Tax Collector's Office; and
WHEREAS, the total cost shall not exceed the township's bid threshold of \$44,000.00; and

WHEREAS, the chosen vendor shall be awarded by resolution of the Township Council at the commencement of receipt of quotes;

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 Division of Purchasing is authorized to solicit quotes for the use of an electronic tax sale platform for the Tax Collector's Office. The total cost shall not exceed the Township's bid threshold of \$44,000.00.
2. The chosen vendor shall be awarded by resolution of the Township Council at the commencement of receipt of quotes.
3. 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) Chief Financial Officer
 - c) Township Tax Assessor
 - d) Township Tax Collector
 - e) Township Auditor
 - f) Director of the Division of Local Government Services

Motion: Approve Item K

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- I. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Clerk To Attest To An Agreement With The New Jersey State Association Of Chiefs Of Police, Inc., For The Administration Of Written Examinations For The Position Of Police Officer

APRIL 24, 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. The Mayor is authorized to execute and the Township Clerk to attest to an Agreement between the Township of Toms River and the New Jersey State Association of Chiefs of Police, Inc., for the administration of written examinations for the position of Police Officer.
2. This will be an open-ended contract, and funds will be available in Account No. 4-01- - P45-534, subject to the adoption of the CY2024 municipal budget, and availability of funds.
3. A copy of the Agreement is attached to this Resolution as Schedule "A", and shall be available for public inspection in the Office of the Township Clerk.
4. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Mayor Daniel T. Rodrick
 - b) Township Council
 - c) Business Administrator
 - d) Township Attorney
 - e) Chief Financial Officer
 - f) Purchasing Dept.
 - g) Chief Mitchell Little, Police Department
 - h) New Jersey State Association of Chiefs of Police, Inc.
751 Route 73 North, Suite 12
Marlton, NJ 08053
Attn: Mitchell C. Sklar,
Executive Director, NJSACOP
Attn: Chief Edward M. Kerr, Jr.,
President

Motion: Approve Item L

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes

Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Contract To Purchase Ammunition Required By The Police Department, From Atlantic Tactical Using Federal Dea Seizure Funds, Utilizing Nj State Contract 17-Fleet-00732 Entitled "Law Enforcement Firearms Equipment And Supplies", Which Expires May 13, 2024, In The Total Maximum Contract Amount Not To Exceed \$48,305.20

APRIL 24, 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. In accordance with the requirements of Local Public Contracts Law, N.J.S.A. 40A:11-12(a) and N.J.A.C. 5:34-7.4, and the regulations promulgated thereunder, the following purchases without competitive bids from a vendor with a State contract are hereby approved.

2. Contract to purchase Ammunition required by the Police Department, from Atlantic Tactical, 14 Worlds Fair Drive, Somerset, NJ, 08873, using Federal DEA Seizure Funds, utilizing NJ State Contract 17-FLEET-00732 entitled "Law Enforcement Firearms Equipment and Supplies" which expires May 13, 2024, in the total maximum contract amount not to exceed \$48,305.20, as follows:

Quantity	Description	Account #	Unit Price	Total Cost
65	Winchester Q3131 5.56 MM 55 Grain Full Metal Jacket 20 Rounds/Box	X-19- -600-052	\$469.20	\$30,498.00
80	Winchester Q4238 40 S-W 180 Grain Full Metal Jacket 50 Rounds/Box	X-19- -600-052	\$155.96	\$12,476.80
40	Winchester USA9MM 9MM LUGER 124 Grain Full Metal Jacket 50 Rounds/Box	X-19- -600-052	\$133.26	\$5,330.40
			TOTAL	\$48,305.20

Contract with: Atlantic Tactical
14 Worlds Fair Drive
Somerset, NJ 08873

Contract No. 17-FLEET-00732

Amount: \$48,305.20
Using Federal DEA Seizure Funds

Account No. X-19- -600-052

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

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

- a) Purchasing Division
 - b) Chief Financial Officer
 - c) Business Administrator
 - d) Township Attorney
 - e) Police Department
 - f) Atlantic Tactical
- 14 Worlds Fair Drive
Somerset, NJ 08873

Motion: Approve Item M

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- n. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Supply Of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing & Bunker Sand Rebid Items To Various Vendors, And Authorize The Appropriate Township Officials To Negotiate Those Items Receiving No Bids

APRIL 24, 2024

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

WHEREAS, bids were first received on January 25, 2024 and awarded as Resolution "R" at the February 28, 2024 Township Council meeting; and

WHEREAS, Item numbers 7, 64, 71, 103, 104, 110, 137, 196, 224 and 227 received no bids and were authorized to be rebid; and

WHEREAS, five (5) bids were received from the following vendors on April 3, 2024, as follows:

Extech Building Material Inc. Fisher & Son Company
87 Bowne Street 110 Summit Drive
Brooklyn, NY Exton, PA 19341

Heritage Landscape Supply Group Inc. Pocono Turf Supply
7440 State Hwy 121 160 Commerce Drive
McKinney, TX 75070 Montgomeryville, PA 18936

Site-One Landscape Supply
1385 East 36th Street
Cleveland, OH 44114

The following items received no bids and will be solicited through negotiations: 64, 71 and 224.

WHEREAS, the bids have been reviewed by the Division of Purchasing and Bey Lea Golf Course, and they have recommended that rebid items shall be awarded to the following vendors:

Extech Building Material, Inc.: Item Nos. 7, 137 and 196.

Fisher & Son Company Inc.: Item No. 227.

-
-
-

Heritage Landscape Supply Group, Inc.: Item Nos. 104 and 110.

Site-One Landscape Supply: Item No. 103.

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

1. It hereby awards open-ended contracts for the Supply of Grass Seed, Fertilizer, Herbicides, Fungicides, Insecticides, Infield Mix, Top Dressing, & Bunker Sand rebid items to the following vendors, as follows:

Extech Building Material, Inc.: Item Nos. 7, 137 and 196.

Fisher & Son Company Inc.: Item No. 227.

Heritage Landscape Supply Group, Inc.: Item Nos. 104 and 110.

Site-One Landscape Supply: Item No. 103.

2. The following items received no bids and will be solicited through negotiations: 64, 71 and 224.
3. These contracts shall commence the Date of Award until March 10, 2025. Pursuant to N.J.S.A. 40A:11-15, these contracts may be extended for no more than one (1) two-year, or two (2) one-year extensions, after the expiration of the original contract period, contingent upon the approval of the governing body by resolution with the agreement of the Contractor. Contract extensions shall be subject to the availability and appropriation of funds for each year the contract is to be extended. All terms and conditions of the contract shall remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.
4. These contracts 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 year. The award of this contract is subject to all the terms and conditions of the bid specifications.
5. The appropriate Township officials are hereby authorized to negotiate with vendors for items receiving no bids.
6. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
7. 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) Chief Financial Officer
 - c) Township Attorney
 - d) Bey Lea Golf Course
 - e) All Aforementioned Bidders

Motion: Approve Item N
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- o. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 1108.52, Lot 150 And 152 (3261 Windsor Avenue)

April 24, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 1108.52, Lot 150 & 152.

WHEREAS, Performance Bonds have been posted as follows:

1. Cash Bond in the amount of \$310.00 which represents the ten percent portion of the performance guarantee amount.
 2. Surety Bond # S341026 in the amount of \$2,790.00 which represents the ten percent portion of the performance guarantee amount.
 3. Surety Bond # S341025 in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
-
1. Check in the amount of \$500.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
 - 2) Said bond approval is conditioned upon compliance by Calogero Messina., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- Township Clerk shall send a certified copy hereof to each of the following:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. Calogero Messina 1845 Winward Court
Toms River, NJ 08753

Motion: Approve Item O

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 625, Lot 17, 19, 21, 23 & 25 (931 Gilbert Avenue)

April 24, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 625, Lot 19, 19, 21, 23 & 25.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$600.00 which represents the performance guarantee amount.
- 2) Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
- 3) Check in the amount of \$285.00 which represents the escrow amount for inspection fees.

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

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

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

- a. Township Engineer
 - b. Chief Financial Officer
 - c. Township Attorney
 - d. Steve Maravelias
- Central Jersey Remodelers, LLC
406 14th Avenue
Belmar, NJ 07719

Motion: Approve Item P

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Site Plan Known As Gateway Toyota, Block 691, Lot 6.01, 12.01 And 28 (417 Route 37 East)

April 24, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan, known as Block 691, Lot 6.01, 12.01 & 28.

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

1) Maintenance Cash Bond in the amount of \$16,260.00 currently on deposit in account # 4-14- -902-101 is hereby released with applicable interest;

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. OCT Partnership

Gateway Toyota
395 Route 37 East
Toms River NJ 08753

Motion: Approve Item Q

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- r. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Of Toms River Correcting The Resolution Dated April 11, 2024 Authorizing The Township Of Toms River To Accept A Grant Award From The New Jersey Department Of Community Affairs, Division Of Local Government Services, Local Efficiency Achievement Program (Leap), In The Amount Of \$171,000.00, For A Shared Services Agreement With The Borough Of Island Heights, For Waste Collection, And Authorizing The Business Administrator To Execute Agreement

APRIL 24, 2024

WHEREAS, resolution of the Township Council dated April 11, 2024, authorized the Township to accept a grant award from the New Jersey Department of Community Affairs, Division of Local Government Services, Local Efficiency Achievement Program (LEAP), in the amount of \$171,000.00, for a shared services agreement with the Borough of Island Heights, for waste collection; and

WHEREAS, the Department of Community Affairs has informed the Township that a certain paragraph was left out of the April 11, 2024 resolution, and has requested that it be inserted in a corrected resolution, which has been inserted below; and

WHEREAS, the State of New Jersey has allocated \$3.275 million in Local Efficiency Achievement Program (LEAP) funds to promote shared service initiatives among peer local units across New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, LEAP Implementation Grants provide reimbursement for qualifying expenses incurred in the implementation of a local or regional service agreements, or for the coordination of programs and services authorized under the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

WHEREAS, the LEAP Implementation Grant exists to help cover costs associated with shared services implementation, including one-time reimbursable costs for project completion of transition support for municipalities and counties; and

WHEREAS, the Township of Toms River has agreed to be the lead agency in this program; and

WHEREAS, the Township Council of the Township of Toms River, acknowledges and accepts the responsibility of acting as administrator for this grant on behalf of all participating local units; and

WHEREAS, the Township Council of the Township of Toms River received a Notice of Award from the Department of Community Affairs, Division of Local Government Services (DLGS) of its eligibility to receive a LEAP Grant in the amount of \$171,000.00; and

WHEREAS, the purpose of this award is to provide funding to the Island Heights Solid Waste Collection and Disposal;

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, that the Township Council does hereby accept the award of \$171,000.00, to fund the Island Heights Solid Waste Collection and Disposal;

BE IT FURTHER RESOLVED that the Business Administrator of the Township of Toms River be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the Township of Toms River and the Borough of Island Heights, and upon execution of said Agreement, the Township of Toms River does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

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) Chief Financial Officer
f) Grant Coordinator
g) State of New Jersey
Department of Community Affairs
Division of Local Government Services
101 South Broad Street
P.O. Box 800
Trenton, N.J. 08625-0800

Motion: Approve Item R
Motion Made By: George Lobman
Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To An Equipment Rental Agreement Between The Township Of Toms River And Club Car LLC, For The Software For The Connectivity Program For The 64 Golf Carts For The Bey Lea Golf Course

APRIL 24, 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. The Mayor is authorized to execute and the Township Clerk to attest to an Equipment Rental Agreement between the Township of Toms River and Club Car, LLC, for the software for the connectivity program for the 64 golf carts for the Bey Lea Golf Course, at a cost of \$2,176.00 per month for a total of forty-eight (48) months, and funds are available in Account No. 4-26-B91-449 for the duration of this contract. A copy of the Agreement is attached to this resolution and made a part hereof.
2. A certified copy of this resolution and the attached Agreement 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) Certified Financial Officer

- f) Purchasing Department
- g) Bey Lea Golf Course
- h) Drew Chabot
- i) Joe Kinlin, Bey Lea Golf Course

Motion: Approve Item S
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing A Solid Waste Collection Agreement Between The Township Of Toms River And The Ortley House Condo Association, For The Collection Of Solid Waste And Recyclable Materials, Pursuant To The Municipal Services Act, N.J.S.A. 40:67-23.1-23.8

APRIL 24, 2024

WHEREAS, The Ortley House Condo Association is a qualified private community under the Municipal Services Act (“MSA”), N.J.S.A. 40:67-23.1 to -23.8; and
 WHEREAS, under the MSA, the Township must either directly provide solid waste collection to qualified private communities or reimburse private communities for the expense of that service at a rate equal to the Township’s actual cost of providing solid waste collection to the general public; and
 WHEREAS, the Township has determined that it is more efficient and cost-effective to directly provide solid waste collection to The Ortley House Condo Association; and
 WHEREAS, The Ortley House Condo Association has requested and consented to Township-provided solid waste collection:
 NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, Ocean County, New Jersey as follows:

1. The Mayor is hereby authorized to execute and the Township Clerk to attest to the Solid Waste and Recyclable Material Collection Agreement, attached as Schedule “A” to this resolution, between the Township of Toms River and The Ortley House Condo Association for the collection of solid waste and recyclable materials from The Ortley House Condo Association complex.
2. A fully-executed copy of this agreement shall remain on file in the office of the

Township Clerk.

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

- a) Business Administrator
- b) Chief Financial Officer
- c) Public Works Dept.
- d) Township Attorney
- e) The Ortley House Condo Association
2 Second Avenue
Ortley Beach, NJ 08751
Attn: Vincent Tabano

Motion: Approve Item T

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey to Amend The 2024 Temporary Budget Pursuant To N.J.S.A. 40a:4-20

April 24, 2024

WHEREAS, the Township Council of the Township of Toms River passed a 2024 Temporary Budget Resolution on January 1, 2024; and,

WHEREAS, N.J.S.A. 40A:4-20 authorizes the Township Council by resolution adopted by a two-thirds vote of the full membership thereof to make emergency temporary appropriations;

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, that the attached list of 2024 emergency temporary appropriations are hereby approved.

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) Administrator
- b) Township Attorney

- c) Chief Financial Officer
- d) Affected Department Heads

**TOWNSHIP OF TOMS RIVER
AMENDMENT TO TEMPORARY BUDGET
2024**

Account Id	<u>DESCRIPTION</u>	<u>AMOUNT</u>
0-01- -L22-100	LAW DEPT. S/W	40,000.00
0-01- -L23-500	ENGINEERING O/E	50,000.00
		90,000.00

Motion: Approve Item U
Motion Made By: Justin Lamb
Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Abstain
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- v. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Mayor’S Appointment Of Mark Rohmeyer With The Firm Of Morgan Municipal Services, Llc, As Township Engineer, Effective Retroactive To March 28, 2024

APRIL 24, 2024

WHEREAS, Mayor Daniel T. Rodrick has nominated Mark Rohmeyer with the firm of Morgan Municipal Services, LLC, to serve as Township Engineer for the Township of Toms River effective retroactive to March 28, 2024; and
 WHEREAS, the Township Council acknowledges that Mark Rohmeyer, by virtue of his education and experience, will effectively discharge the duties of Township Engineer;
 NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, Ocean County, New Jersey, as follows:

1. Mayor Daniel T. Rodrick has nominated Mark Rohmeyer of the firm of Morgan

- Municipal Services, LLC to serve as Township Engineer for the Township of Toms River.
2. The Township Council consents to the appointment of Mark Rohmeyer of the firm of Morgan Municipal Services, LLC, to serve as Township Engineer, for the Township of Toms River, effective retroactive to March 28, 2024.
 3. 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) Chief Financial Officer
 - f) Finance Dept.
 - g) Human Resources
 - h) Mark Rohmeyer, Department of Engineering
 - i) Payroll Department

Councilman Quinlisk asked how this would financially affect the Township.
Mayor Rodrick said, pursuant to the code, Township needs an employee appointed as the engineer. Will save compared to previous employees as Engineers

Motion: Approve Item V
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Abstain
Council Member Quinlisk	Abstain
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- w. **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 3 Properties To Be Canceled And/Or Refunded

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 444.26 LOT 4 EFFECTIVE JANUARY 5, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

April 24, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 444.26 Lot 4, located at 935 Egret Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 5, 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 444.26 Lot 4 due on or after, January 5, 2024, shall be cancelled.

2. All real property taxes from the date of this Resolution paid on Block 444.26 Lot 5, if any, shall be refunded on a pro-rated basis from January 5, 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

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 510.06 LOT 9 EFFECTIVE FEBRUARY 9, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

April 24, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 510.06 Lot 9, located at 11 Pine Fork Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 9, 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 510.06 Lot 9 due on or after, February 9, 2024, shall be cancelled.

2. All real property taxes from the date of this Resolution paid on Block 510.06 Lot 9, if any, shall be refunded on a pro-rated basis from February 9, 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

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 392 LOT 13.03 EFFECTIVE JANUARY 15, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

April 24, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 392 Lot 13.03, located at 1699 New Hampshire Ave, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective January 15, 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 392 Lot 13.03 due on or after, January 15, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 392 Lot 13.03, if any, shall be refunded on a pro-rated basis from January 15, 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

Motion: Approve Item W

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund of Tax Payments

APRIL 24, 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

<i>HEINZ LAW, P.A. ATTORNEY TRUST</i>	<i>688.05</i>	<i>40</i>	<i>2022/4</i>	<i>\$10,475.80</i>
<i>ACCOUNT</i>			<i>\$4,292.67</i>	
			<i>2023/4</i>	
			<i>\$6,183.13</i>	
			TOTAL:	\$10,475.80

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

Motion: Approve Item X
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Reports

15. Building Department	2024	2023
Building Permits - March	\$186,902.00	\$365,997.00
Building Permits - YTD through March	\$966,588.00	\$945,582.00
Recreation Department	2024	2023
Bey Lea Golf Course- March	\$209,916.27	\$176,660.92
Bey Lea Golf Course- YTD through March	\$243,241.85	\$192,968.92
Winding River Ice Rink- March	\$118,043.98	\$113,561.00
Winding River Ice Rink- YTD through March	\$419,592.97	\$401,214.04

Motion: Approve the reports
Motion Made By: Justin Lamb
Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes

Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Approval of Bills

The Township Clerk asked for the Approval of the Bills

Motion: Approve Bills

Motion Made By: Justin Lamb

Seconded: None

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

The following abstentions were made:

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

Purchase Order 24-02119, Payable to Borough of Lavallette, in the amount of \$1,197.32

Purchase Order 24-02195, payable to TR Payroll, Magistrate Salaries, in the amount of \$6,619.23

Purchase Order 24-02061, payable to Dasti, McGuckin, in the amount of \$29,717.45

Council Member **Nivison** - None

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

Purchase Orders 24-02003,24-02006 Payable to TEC Elevator, in the amount of \$1,450.00

Council Vice-President O'Toole - None

Council President Coleman - None

Elected Official's Comments

Councilman Lamb- Pollinators in Ortleigh Beach, working on streetscape project and Surf Club project.

Councilman Quinlisk- Apologized to Councilman Lamb about comment made at last meeting. Disappointed in Council for allowing animal shelter ordinance being passed.

Councilman Lobman- Same arguments and same disrespect, frustrating to listen to back and forth.

Councilman Nivison- Thanked all shelter workers who attended meeting. The fight is not over.

Councilman Ciccozzi- God bless all who came out tonight. Apologized for letting residents down. Will have more to say about budget.

Council Vice-President- No comment

Council President- No comment

Mayor Rodrick- No comment

Public Comments

Michael Warnock, Lynn Dr, Toms River- Police reform was not apart running platform. Suspension of Police Chief was vindictive.

Dennis Galante, 1149 Cherokee Lane, Toms River- Why change public comment from 5 minutes to 3 minutes? Where is the resolution? Where are the archived Council Meeting videos?

Carlos Amizar, Winteringham, Toms River- Called Police Department over lost child and there was a quick response time. Begged Council to be civilized.

Paul Williams, Broad St., Toms River- Open Public Meetings Act requires each meeting shall require portion for public comment on any governmental issue member of the public feels may be of concern to the residents. Council has been misled.

Martin Taylor, Dove St. Toms River- Have heard about homeless problem, when will Council truly address that problem? Mayor Rodrick said we have warming shelters. Mr. Taylor said they only open when temperatures drop below a certain temperature. A warming center won't cut it, and we need a permanent shelter.

Phil Brilliant, 79 Holy Tree Lane, Toms River- There is not as much transparency as had been promised. Commended Councilman Nivison for standing up for what the people of Toms River want. Spoke on recent changes to the rental process, allows for negligent property owners.

Susan Payne Gato, 1946 Mt Juliano Lane, Toms River- Loves Toms River but concerned about accessibility of Council Meetings for those with disabilities. Would like to have meetings shown on television.

Irene Watson, Messenger St, Toms River- referred to Facebook post about medical emergency on Washington St which was responded to by Silverton EMS. Councilman Quinlisk explained the nearest available ambulance would respond.

Tom Fredella, Jacklyn Ct, Toms River- Should always review the budget each year, as it changes. Council should know what they are voting on. Referenced articles about Acting CFO and his concerns about him.

Chris Raimann, 111 Flack St, Toms River- Concerned over Police Chief being suspended with no prior reprimands.

Dana Tormollan, Messenger St, Toms River- Mentioned emails which had been sent to Council members.

Michael Warnock, Lynn Dr, Toms River- Continued comments from earlier, less officers, but more residents. Does not understand why anyone would go after Police Department.

Walter Herman, Albert Ave, Toms River- Spoke on span of control. Asked why signs purchased by Toms River Police Foundation were taken down. Mayor said it is a personnel matter.

Paul Williams, Broad St., Toms River- Referenced municipal code about Business Administrator not being able to manage finances

Susan Payne Gato, 1946 Mt Juliano Lane, Toms River- Surprised at behavior at meeting. Hospital needs a safe nurse ratio and nurses need a union. Town needs to fix sidewalks and curb cutouts.

Marylou, Toms River- Former neighbor was police captain and did make an arrest in uniform. Respect goes both ways, have to hold elected officials accountable.

Julie Adamek, 69 Cedar Grove Rd, Toms River- Spoke on signs that were taken. Had been put up on Edken, which is 25 mph but people always sped. Asked for more signs to be put up where speed limit is 25mph. should be utilized if effective.

Virginia Wnek, Ashlar Way, Toms River- signs that were taken were not digital speed readers, these are small signs on stakes. Should not be removed if for Police.

Stacy Wyckoff, Brick- Distrubed by actions and comments made by Mayor and Council

Joe Coco, 161 Walnut Creek Lane, Toms River- New Jersey League of Municipalities conference which may be beneficial to incoming Councilmembers. Suggested more executive sessions. There should be a task force which was discussed because of changes to rentals.

Carlos Amizar, Winteringham, Toms River- apologized for comments made earlier. Begged Mayor to communicate with Council

Dennis Galante, 1149 Cherokee Lane, Toms River- Spoke on Council President's discretion on who can speak and how long. Why not throw Mayor out of meeting?

Executive Session

There was no need for an executive session.

Motion: Adjourn Meeting at 10:30pm

Motion Made By: Thomas Nivison

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

EXHIBIT J

TOMS RIVER REFERENDUM PETITION INSTRUCTIONS

These instructions are intended to provide guidance to you as you collect signatures on the Petition Protesting the Ordinance that leases the Animal Shelter to the Ocean County Board of Health. These instructions are not part of the petition and should not be attached to the signed petition form.

1. The purpose of this petition is to block the effectiveness of an ordinance proposed by the Toms River Township Council that would lease and transfer the Animal Shelter operations from the Township to the Ocean County Board of Health, and to put a referendum question on an election ballot to allow the citizens of Toms River to vote on the ordinance. Please describe the objective of the petition as accurately as possible.
2. Only people who have signed the petition may circulate one, so please be sure to sign one page of the petition yourself. Circulators must be registered voters in Toms River.
3. When you circulate the petition for signatures, you must be there when each person signs the petition. So do not leave the petition anywhere, such as on a store counter, for people to sign unless you are physically present.
4. Please request every person to sign their full name.
5. Each page of the petition may have only one circulator.
6. Each page of the petition must be signed at the bottom by the circulator in front of a notary and notarized.
7. All entries must be made in ink.
8. Please drop the signed petition forms off at the homes of any one of the members of the Petitioner's Committee. Their names and addresses are listed below and on the bottom of each petition page. The deadline for turning in the forms to the Petitioner's Committee is Sunday evening, May 12, 2024.
9. You do not have to hold all of the forms and turn them in at the end. In fact, turning in pages as they are completed will help accelerate the process and motivate everyone to keep collecting signatures.

The members of the Petitioner's Committee greatly appreciate your efforts in gathering the signatures that we need to make this petition successful. We are sending a strong message to our town council members that we should have a say in this process and that they are accountable to us.

THOMAS NIVISON, SR., 1520 SILVERTON ROAD
DANA TORMOLLAN, 113 MESSENGER STREET
PHILIP BRILLIANT, 79 HOLLY TREE LANE
CHRIS RAIMANN, 111 FLACK STREET
ANDREA RAIMANN, 111 FLACK STREET

PETITION TO PROTEST ORDINANCE THAT AUTHORIZES THE LEASE OF THE TOWNSHIP'S ANIMAL SHELTER TO THE OCEAN COUNTY BOARD OF HEALTH

To the Municipal Clerk and the Council of the Township of Toms River, Ocean County:

We, the undersigned, registered voters of the Township of Toms River, Ocean County, New Jersey, hereby request a referendum election and submission to popular vote for the **Animal Shelter Ordinance**, designated as "An Ordinance Of The Township of Toms River, County of Ocean, State of New Jersey, Authorizing the Mayor to Execute and the Township Clerk to Attest to a Lease Agreement Between the Township of Toms River and the Ocean County Board of Health Authorizing the Leasing of Certain Municipal Property Pursuant to N.J.S.A. 40A:12-14(B)," approved on April 24, 2024, under the powers of referendum granted in N.J.S.A. 40:69A-185. The undersigned voters demand that the Animal Shelter Ordinance in its entirety with any changes (whether by amendment or resolution) by the Township Council be submitted to the electorate for a vote at a general or special election, with a question to be put to the voters of Toms River Township in the form of a Referendum.

	<u>SIGNATURE</u>	<u>PRINT NAME</u>	<u>HOME ADDRESS</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____
7.	_____	_____	_____
8.	_____	_____	_____
9.	_____	_____	_____
10.	_____	_____	_____

COMMITTEE OF PETITIONERS

Pursuant to N.J.S.A. 40:69A-186

- 1. THOMAS NIVISON, SR., 1520 SILVERTON ROAD
- 3. PHILIP BRILLIANT, 79 HOLLY TREE LANE
- 5. ANDREA RAIMANN, 111 FLACK STREET

- 2. DANA TORMOLLAN, 113 MESSENGER STREET
- 4. CHRIS RAIMANN, 111 FLACK STREET

AFFIDAVIT OF CIRCULATOR

STATE OF NEW JERSEY :
 : ss.
 COUNTY OF OCEAN :

I, _____ (print name), being duly sworn, upon my oath depose and say that: (1) I and only I personally circulated the foregoing paper; (2) all the signatures appended thereto were made in my presence; and (3) I believe them to be the genuine signatures of the persons whose names they purport to be.

 (Circulator's signature)

Sworn to and subscribed before me this
 ____ day of _____, 2024.

 NOTARY PUBLIC

app.**ANIMALS**

Can Toms River mayor be beaten on animal shelter takeover? Petitioners think so

Three-minute read**Jean Mikle**

Asbury Park Press

Published 5:30 a.m. ET May 1, 2024 | Updated 5:30 a.m. ET May 1, 2024

TOMS RIVER - Residents are collecting signatures on a petition that aims to stop the township from leasing its animal shelter to Ocean County.

Councilman Thomas Nivison, who last week pleaded with his fellow council members not to approve the lease agreement, is one of the leaders of the petition drive, along with Philip Brilliant, Christopher and Andrea Raimann and Dana Tormollan.

Nivison made a motion to table the ordinance that approved the lease of the animal shelter for \$1 a year to Ocean County, but the motion failed when only two other council members — James Quinlisk and David Ciccozzi — supported it.

"I have not heard one person tell me they want the shelter to go to the county," Nivison said last week. "My constituents, not one person."

'You need a transplant': How a breathless beach walk saved Toms River woman's life

The petitioners need to collect at least 3,079 signatures of registered Toms River voters in order to send the ordinance back to the council for a potential repeal, or submit the measure to a public vote. That number represents 15% of the registered voters who cast ballots in the last state Assembly election, which was in November 2023.

The petitioners have 20 days to collect enough signatures.

Since February, residents, Toms River animal control officers and animal advocates have

gone to the Township Council meetings asking the township not to lease the animal shelter to the county.

Mayor Daniel Rodrick has said that he believes the county will do a better job running the shelter than Toms River has done, and has claimed that it was only through his administration's efforts that many dogs and cats were adopted from a shelter that was full when he took office in January.

Advocates have said that Rodrick's figures about euthanasia rates at the county and Toms River shelters are not accurate for the last couple of years, and that Toms River's shelter has qualified as a "no-kill" facility in the last two years. Such a designation means fewer than 10% of a shelter's animals have been euthanized.

'He's really crossed that line': Toms River Animal Shelter workers bark back at mayor
Ocean County also only handles dogs and cats, and does not take in other pets, such as rabbits, guinea pigs or reptiles, advocates say. They also noted that the county does not handle injured wildlife.

The petition drive marks the second one this year aimed at repealing a Toms River ordinance. Petitioners collected enough signatures to repeal a measure cutting two police captains' jobs, and one patrol officer's job, from the police department's table of organization. The township council repealed the police ordinance by a 7 to 0 vote after Township Clerk Mike Cruoglio certified that residents had collected enough signatures.

But Rodrick said he will not approve any captains' promotions, or restore the job of police department spokeswoman Jillian Messina, whose position the mayor deemed unnecessary.

Ex-Toms River police spokesperson suit: Mayor fired me for revenge against my dad
The \$700,000 savings from the retirement of two police captains is being used to fund 24-hour, 365-days-a-year ambulance service in town; residents of Toms River's barrier island sections, in particular, have long complained about lengthy wait times for an ambulance to arrive in their neighborhoods.

The animal shelter petitions will be available to be signed from 10 a.m. to noon and 3 to 5 p.m. on Mondays, Wednesdays and Fridays, and 10 a.m. to noon on Saturdays, at Manforti Chiropractic, 541 Lakehurst Road. They can also be signed from 5 to 7 p.m. May 1 and 2 at

Castle Park, Bay Avenue, from 5 to 7 p.m. May 1 at the Elks Lodge, 600 Washington St.
More locations are expected to be announced soon.

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

Politics & Government

Group Gathering Signatures To Repeal Toms River Animal Shelter Lease Ordinance

A group of residents are gathering signatures to repeal the ordinance that would lease the shelter to Ocean County.



Karen Wall, Patch Staff

Posted Wed, May 1, 2024 at 5:59 am ET Updated Wed, May 1, 2024 at 8:11 am ET



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council. A petition effort is underway to repeal it. (Karen Wall/Patch)

TOMS RIVER, NJ — A group of Toms River residents is gathering signatures to repeal the ordinance passed that approved leasing the Toms River Animal Shelter property to Ocean County.

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The Toms River Township Council approved the ordinance in a 4-3 vote at the April 24 council after a public hearing punctuated by Councilman Tom Nivison and Mayor Daniel Rodrick shouting at each other.

Nivison was one of the no votes on the ordinance, drawing loud applause from supporters of the shelter, who want it to remain under operation by Toms River.

Find out what's happening in Toms River with free, real-time updates from Patch.

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He is one of three council members elected alongside Rodrick in November, and had previously voted with Rodrick on a number of issues including the controversial ordinance that eliminated two captains' positions from the

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That ordinance sparked a successful petition drive that led to the council repealing the ordinance, though Rodrick said he would not permit the captains' petitions to be filled and said he agreed to the repeal to avoid an expensive legal battle.

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Like the police staffing ordinance repeal, the petition needs 3,079 signatures to force the Toms River Township Council to repeal the animal shelter lease ordinance or put the matter to a vote of the township's residents.

The petitioners have until May 13 to gather the signatures, which must be from Toms River residents who are registered to vote. They are collecting signatures Wednesday and Thursday at Castle Park, across from the police station, from 5 p.m. to 7 p.m. and at the Toms River Elks Lodge at 600 Washington St. from 5 p.m.-7 p.m.

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Registered Toms River voters also can sign the petition at Manforti Chiropractor, 541 Lakehurst Road, from 10 a.m.-noon and 3 p.m.-5 p.m. on Wednesday and Friday and from 10 a.m.-noon on Saturday, as well as May 6, 8, and 10 from 10 a.m.-noon and 3 p.m.-5 p.m. and 10 a.m. to noon on May 11.

The ordinance to lease the shelter to the county comes after three months of controversy that started shortly after Rodrick visited the shelter in mid-January.

Rodrick has blasted how the shelter was operating, angry that the front door was locked when he arrived on a Saturday morning, and holding up 2021 euthanasia information for Toms River and Ocean County to insist the township shelter was killing animals at a higher rate than the county.

At the April 24 meeting, however, Michael Cohen, a part-time kennel aide, said the Toms River shelter had earned no-kill status as defined by the Associated Humane Societies in 2022 and 2023 because of its low euthanasia rates.

"We're able to afford all of our intakes the necessary time they need to find adoptable homes." he said.

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Rodrick also has insisted the shelter was not closing, though supporters of the shelter say transferring its operations to the county is effectively the same as closing it because the county shelter system operates differently from the Toms River shelter.

Ocean County operates two animal facilities — one in Jackson, one in Stafford Township — and only takes in dogs, puppies, cats and kittens for potential adoption. The county has a third facility it uses as an emergency backup for the main operations, such as the Brick Township animal hoarding in late 2022 where 180 dogs and cats were removed from a home. (That criminal case is still pending.)

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The Toms River shelter has handled an array of animals beyond canines and felines, including a pet pig, ferrets, guinea pigs, and wildlife. Its staff also responded when a rabbit hoarding situation was uncovered in 2023, taking in nearly 20 bunnies, which the Ocean County shelter is not equipped to do.

Ocean County officials have declined to comment on the shelter issue beyond confirming discussions of the county leasing it had taken place. As of April 30, the county had not taken formal action at either the Board of Health, which runs the county's shelter system, or at the Board of Commissioners, to move forward with a lease.

Nivison, in opposing the shelter ordinance on April 24, was critical of the lease presented to the council hours before the meeting.

"I have a lot of problems with this lease," he said, starting with the 30-year term that would lease it to the county for \$1. "I have problems with the county taking it over."

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Nivison sought to have the lease tabled, but Rodrick shouted over him, trying to get Nivison's motion rejected without a vote. The motion to table ultimately was rejected. (You can [watch the public hearing on the ordinance on YouTube](#), where resident Paul Williams has been reposting the council meetings since January after they were removed from Toms River's YouTube channel.)

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Rodrick has contended the shelter was poorly run and cited 2022 reporting on a council meeting where people rallied to fight the euthanization of two dogs and raised concerns about how much attention and socialization the dogs were receiving.

Following that [July meeting](#), the shelter manager and a second employee were removed from their roles.

The shelter had just two animal control officers and some part-time employees at that time to handle kennel cleaning, dog-walking and other duties in caring for the animals.

While staffing had been increased slightly over the 2022 levels it was still very limited and meant there were times the shelter's front door was locked for security reasons while employees were in the back cleaning kennels or caring for the animals.

Rodrick has been critical of the hours Toms River allotted for adoptions. The hours — 1 p.m.-4 p.m. weekdays and weekends — are the same as those of the county shelter and similar to Jersey Shore Animal Shelter in Brick, a privately run nonprofit facility. Popcorn Park in Lacey, run by the Associated Humane Societies, has slightly longer hours of noon to 5 p.m. daily.

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Rodrnick also blasted the Toms River shelter over a lack of promotion of animals available for adoption, but sources with knowledge of the situation said the township's social media policies — which limit content access to the township-owned social media pages to designated employees and barred the use of cellphones while on duty, including for taking photos of the animals — hamstrung shelter employees from effective promotion.

At the March 27 meeting when the shelter ordinance was introduced, Rodrick said the shelter was costing Toms River \$600,000 per year — after insisting for two months that cost wasn't the issue and that the township could run the shelter for two years on the strength of the \$1 million donation by the Pyne estate to support it.

Patch has attempted to quantify the costs of the shelter through Open Public Records Act requests as there is no full accounting in the township's budget. During an interview in February, county officials said the county shelter facilities are run as a service to county residents.

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EXHIBIT K

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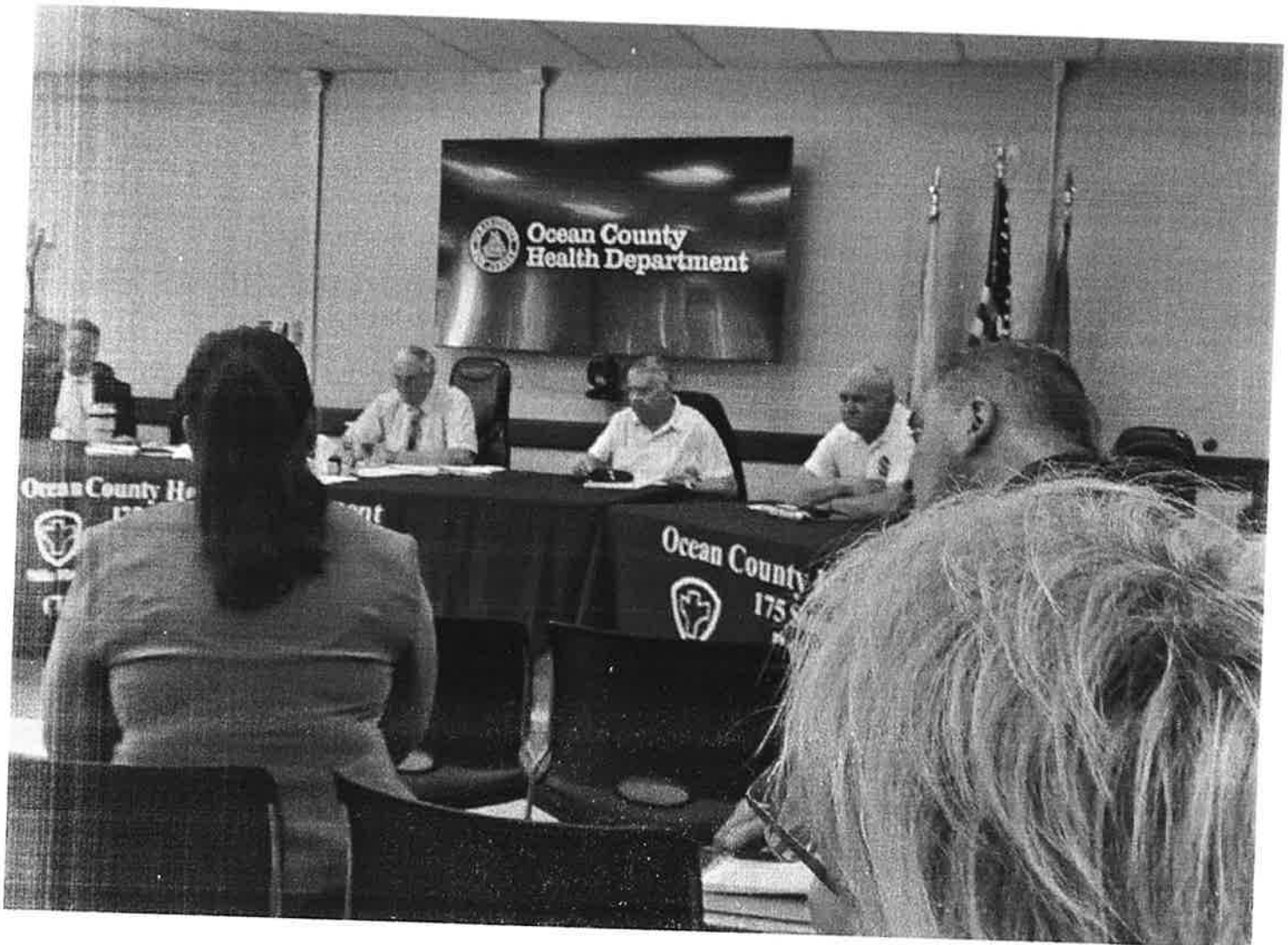
'Toms River Told Us They Were Closing The (Animal) Shelter,' Singer Says

Mayor Dan Rodrick has denied the Toms River Animal Shelter is closing, but the county Board of Health says that's why they OK'd lease talks.



Karen Wall, Patch Staff

Posted Wed, May 8, 2024 at 2:00 pm ET



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Toms River officials told them they were going to close the township's animal shelter. (Karen Wall/Patch)

TOMS RIVER, NJ — The Ocean County Board of Health voted Wednesday to approve a resolution to negotiate a lease to operate the Toms River Animal Shelter, with the board's chairman and vice chairman saying they were doing so to keep the shelter operating.

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"Toms River told us they were closing the shelter," state Sen. Robert Singer said as he cast his yes vote on the resolution.

"They said they are going to close the facility," John J. "Jack" Mallon, the board chairman, said earlier in the meeting.

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"We did not ask for this. They came to us," Singer said.

Those statements contradict repeated statements over the last four months from Toms River Mayor Daniel Rodrick that said the town was not closing the

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The 5-1 vote on the resolution (with three abstentions) authorized the health department to enter into a lease with Toms River to operate the animal shelter. It came after several residents spoke, urging the board to table the resolution.

Toms River Business Administrator Jon Salonis told the Board of Health the township cannot afford to operate the shelter, in spite of a \$1 million gift from a donor's estate that is specifically for the operations of the shelter, which Rodrick had cited in January and February as being sufficient to run the shelter for two years.

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Rodrick in a letter to residents mailed over the weekend claimed the shelter was costing Toms River nearly \$1 million to operate each year, after saying in

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April the cost was \$600,000 to \$700,000.

Toms River spent \$518,756.25 to operate the township's shelter in 2023, including salaries, according to documents obtained through an Open Public Records Act request. The largest expense after the salaries was \$70,705 for veterinary services, including spay/neutering of kittens and puppies.

The township's financial documents show two accounts specifically designated for donations to the animal shelter. As of Jan. 31, one account had a balance of \$235,728.08. It included more than \$20,000 in donations made in 2023. The second account, dedicated to the Jeanne Pyne Estate donation, had \$787,952.57. The initial amount from the stock sale was \$1,093,089.78, plus \$5,137.15 in interest, but funds from that account were used to pay for shelter expenses in 2023. The overall donation total remaining was \$1,023,628.45, as of Jan. 31, according to the donation documents received via an OPRA request.

Singer said the county has budgeted \$1.5 million to operate the Toms River shelter this year; the county's budget was adopted April 4.

The lease agreement has not been finalized, said Daniel Regenye, the public health coordinator for the health department, who said he had just received the proposed lease not long before Wednesday's meeting.

Residents who spoke urged the Board of Health to wait in part because of a recall petition drive that seeks to force the council to rescind the ordinance it passed April 24. The ordinance passed with a 4-3 vote and after a lengthy public hearing where multiple residents urged the council to reject the ordinance.

registered voters — 15 percent of the 20,000 who voted in the November 2023 election. The petition must be submitted by May 13, organizers have said.

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Singer responded angrily to statements from residents expressing concerns about the county's shelter operations and the potential for animals to be euthanized.

"We are very well-equipped to take care of the animals," Singer said.

Mallon, Ruthanne Scaturro and Jennifer Bacchione highlighted the county shelter's response to two high-profile animal hoarding incidents in Brick — the dog hoarding in late 2022 and the cat hoarding in the spring of 2023 — as examples of how well the county cares for animals that come into its facilities.

In response to questions about euthanasia rates, Mallon said the county's rates had been pushed higher by animals sent to it by Toms River — animals that were overly aggressive and ones that were ill and could not be saved through veterinary care. That had been an issue in 2022, when animal rescue groups packed a Toms River council meeting to clamor for the rescue of two dogs from the Toms River shelter.

The Board of Health vote was 5-1, with three abstentions.

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Toms River, New Jersey

Minutes

May 8, 2024

9:30 AM

The Regular Meeting of the Ocean County Board of Health was called to order on May 8, 2024, at 9:30 a.m. in the Auditorium, at 175 Sunset Avenue, Toms River, Ocean County, New Jersey, with Chairman John J. Mallon presiding.

1. Reading of “Open Public Meeting Act:”

2. Pledge of Allegiance:

Mr. John J. Mallon, Chairman asked everyone to join him in honoring our military service members who protect our freedom every day.

3. Roll Call:

- Ms. Jennifer Bacchione
- Dr. Maurice Hill
- Dr. Theresa Kubiel
- Ms. Veronica Laureigh
- Mr. Henry Mancini
- Ms. Ruthanne Scaturro
- Senator Robert Singer
- Mr. John J. Mallon, Chairman

** Dr. Gupta was announced as present by Mr. Zabarsky at 9:40 a.m.**

- Daniel E. Regenye, Public Health Coordinator
- Steve Zabarsky, Board Counsel
- Commissioner Deputy Director Gary Quinn, Liaison to the Board of Commissioners

4. Acceptance of Meeting Minutes:

On motion made by Senator Singer, seconded by Ms. Veronica Laureigh, the open meeting minutes from the April 24, 2024, meeting were approved.

Name	Bacchione	Gupta	Hill	Kubiel	Laureigh	Mancini	Scaturro	Singer	Mallon
Ayes	X		X	X	X	X	X	X	X
Abstain									
Nays									
Absent		X							

5. Chairman Mallon presented Resolution 152(24) – Which authorizes in entering into an agreement with the Township of Toms River to assume animal shelter operations.

The Ocean County Health Department has been operating Animal Shelters for well over three (3) decades. The Health Department operates these facilities in compliance with NJAC 8:23A which is the same regulation which Toms River operates under. We are extremely proud of the great work and diligence our dedicated staff and volunteers perform day in and day out 365 days of the year. There are currently five (5) facilities (listed below in alphabetical order) in Ocean County licensed to operate under this regulation (NJAC 8:23A)

1. Jersey Shore Animal Center (Brick)
2. Northern Ocean County Animal Facility (Jackson)
3. Popcorn Park (Lacey)
4. Southern Ocean County Animal Facility (Stafford)
5. Toms River Animal Shelter

It is the opinion of the Ocean County Board of Health and the Ocean County Health Department staff that all five (5) operations listed above are warranted to meet the Public Health needs of Ocean County. The County of Ocean was contacted by the Township several months ago inquiring about taking over the operations of the Toms River Animal Shelter which then started internal conversations between the County of Ocean and the Health Department as well as amongst staff internally. The Ocean County Health Department has not been opposed to this concept, but we have had and still have many outstanding questions regarding this request. On today's Ocean County Board of Health meeting, there is a resolution authorizing the Chairman to enter into agreement with the Township of Toms River for animal facility operations through a long-term lease of the facility. This does NOT extend to or include taking on animal control responsibilities. This would remain with the Township of Toms River as it is a specific municipal responsibility in New Jersey. If the Ocean County Health Department does end up taking over the operations of the Toms River Animal Facility, we will take the same pride and dedicate the same resources (staffing and financially) that we currently dedicate to our current facilities which are extensive.

In addition to the above facilities, the Ocean County Board of Health in a proactive manner to address emergency preparedness from an animal (pets/ livestock) perspective, purchased the Barnegat kennels in 2011 to enhance emergency preparedness specific for animals in Ocean County. This facility investment has been utilized several times including during Hurricane Sandy where we housed upwards of 300 animals of all types and kind for residents who were displaced due to Hurricane Sandy. This facility has also allowed us to properly respond to and meet the needs of various animal hoarding situations such as two most recently in the past year and a half where over the course of 6 months we took in and nursed back to health over 350 animals through these two events. In my 30 years of Public Health experience, I can attest that there is no county or health department in the State of New Jersey (probably nationally) that is more dedicated and compassionate than the County of Ocean and the Ocean County Board of Health neither of which sought out or pursued this arrangement we are speaking of today. The bottom line is, if the Township wishes to close the shelter and the only alternative is for the Ocean County Health Department to operate it, it is the opinion of this Board that we should step in to make sure this Public Health need is being met. I would further encourage all residents of Ocean County to better understand the operations and value of the Shelters we operate.

6. Comments from the Public: Comments from members of the audience were invited at this time to speak on Resolution 152(24) with a limit of three

first and stated the Toms River Animal Shelter has been around for 40 years and this location has been since 2014 and it's only .4% of the total budget. It has yearly rabies clinics in January, there are contracts with local vets to provide care and they take in more than just cats and dogs. Due to the controversy at other public meetings this should be handled by letting voters of Toms River decide if they want the shelter. Dr Maurice Hill recommends tabling the vote on Resolution 152(24) at this time until the next Board of Health meeting in June. At this time, it's not appropriate to move forward and I would like to make a motion to table this until the next meeting in June. Chairman Mallon noted that no one seconded the motion.

Chairman Mallon noted the agreement isn't finalized yet and there is a provision in the resolution that if the signatures are acquired then it will nullify the authorization.

Board Counsel Mr. Zabarsky noted that during the roll call Dr. Gupta was not present but for the record **Dr. Gupta is now present in the meeting.**

Jon Salonis, Business Administrator of Toms River stated this is a budgetary decision by the township because we don't have the funds or resources to run an animal shelter. We think the County would do a great job and look forward to leasing the facility to the County.

David Ciccozzi,, Councilman, Ward 4 of Toms River for 2 years and 4 months. There is money in the Township Budget, and there are hundreds of people that oppose this, this is no reflection on the County. People of Toms River want to keep the shelter, and we have dozens of volunteers. We still owe money on it, and we want to take care of these animals. Do the right thing and table this for a month and see how the petition goes. We have the signatures to stop this. Thank you for your time.

Daniel E. Regenye commented that there is a stipulation in the resolution that states that this approval is contingent upon the non-invalidation of the Toms River ordinance authorizing the lease agreement so Mr. Ciccozzi you talked about the petition of signatures, that would make it null and void.

Liz Dorick, Toms River resident and a resident of Ocean County for 63 years. Happy Nurse's Week to all our hard-working heroes. Ms. Dorick commended the Ocean County Health Department on our animal facilities and the system we have. They have worked hard to get the facility they have under different leaderships, staffing issues to be where they are today and love the facility on Oak Avenue. Ms. Dorick is asking to table this resolution today as they are still getting signatures and the residents of Toms River want to keep their shelter. We appreciate the wonderful job Ocean County Health Department is doing with their shelter, but we would like our own. Thank you for your time.

Mike Cohen, Toms River resident who has been volunteering at the Toms River Animal Shelter since 2021. September of 2022 hired on as a cat kennel aide. Reading through the lease agreement, paragraph 30, it states in the event the tenant fails to utilize the building for the shelter care of animals in the same manner as it is currently utilized, the landlord should have the right to terminate the lease on 60 days' notice. If the Ocean County Health Department is not planning on rehabbing wildlife or not caring for animals other than cats or dogs, it seems inappropriate for the board to vote in favor of the lease because upon taking control of the building the tenant would be in breach of the lease. Thank you

Senator Robert Singer stated for the record that the Toms River Animal Facility is not licensed to be a rescue for wild animals, a separate license is required to operate in that manner.

Daniel Regenye noted that he received the lease by Toms River late yesterday. The Resolution states to authorize a lease, not the lease. We still have questions about what was presented to comment on this any further.

when something is about to be voted on, something that goes against the desire of the people and when the public officials don't listen to what the people are trying to tell them the people feel unheard.

Tom Fredella from Toms River spoke about the budget and over the last 6 years the shelter was at \$500,000.00 or less. The million-dollar donation would cover our services for an entire 2 more years. We have been quoted numbers from \$600,000.00-\$800,000.00 and then a letter was sent to Toms River residents stating the shelter would now cost \$1,000,000.00 to run. There is a chance to table this today, but we aren't voting on whether we have the ability to negotiate a lease, we are voting on the opportunity to enter into a lease. We have made every attempt to contact the mayor and present numbers to him without success. We would just like the opportunity to work together. Thank you.

Kevin Geoghegan from Toms River wanted to point out that this shelter also benefits the senior citizens because I have seen residents not wanting to go to the hospital because they don't want to leave their pet home alone. We take more than just dogs and cats and we like to assure these seniors that we will take care of you and your pet. We got a lot of support from family members in the past and we would like this to continue. Thank you.

Daniel E. Regenye wanted to clarify that while we do service primarily cats and dogs, we would not turn others away. We have had pigs, ducks, and rabbits but we don't house them long term. We have many contacts, and we work with other rescues who are experts in these areas and they take those animals.

Danielle Fuchs from a rescue in Toms River had found a chicken and went to the Toms River Animal Shelter in the middle of the day and the doors were locked, it was dark, and no one answered the phone.

Mr. Mallon said that was something we couldn't answer but we are basically stepping in because they are going to close the shelter. If we come in, if the lease goes through, we will operate it just like we operate our shelters, 24-7 and we have staff, we have a veterinarian. We have noted your comments in regard to the Toms River Shelter being closed in the middle of the day.

Phil Brilliant from Toms River said that the mayor stated at the council meeting that the shelter is not closing. The council members just saw the lease at 6pm before the council meeting at 7pm and there is still a lot to review and work out as well as the lease for the county. The previous budget for Toms River included the shelter and animal control but the lease with the county would just be shelter and not animal control.

Carlos from Toms River expressed that for the community to grow you have to invest in the community. We must work out the deficit, so it benefits everyone. What happens to the employees if the shelter closes. Please take everything into consideration when making this decision so it is best for everyone. Thank you.

Irene Watson of Toms River asked what would be done to improve the animal shelter if the county took it over. Mr. Mallon stated we would like someone to come in and look over the facility and see what improvements need to be made. All our facilities have dog runs so that would be the first thing we would look at. Animals can't just be in cages, they need runs to make it easier to clean, and deal with aggressive animals. We also would like to look at what additional staff would be needed, and we would interview them and see where they fit into our operations.

Toms River follows a no kill rule and Mr. Mallon clarified that Toms River takes any animal that needs to be euthanized or has behavioral issues and sends them to one of Ocean County Animal facilities to be euthanized and we have the licenses and vets to do it. We would

Senator Singer made clear that we did not seek out entering into a lease with Toms River, they approached us and said they were going to close the shelter unless the Ocean County Health Department took it over.

Senator Singer also mentioned that our staff did a phenomenal job during the hoarding cases in caring for the animals and getting all those animals adopted as soon as they were medically cleared and ready to go.

Resolution 152(24) - Authorization to enter into a lease agreement with the Township of Toms River to assume Animal Shelter operations – Motion was made by Ms. Ruthanne Scaturro, seconded by Ms. Veronica Laureigh with Dr. Maurice Hill voting no, with Ms. Bacchione, and Mr. Mancini abstaining and Dr. Gupta, Dr. Kubiell, Ms. Laureigh, Ms. Scaturro, Senator Singer, and Chairman Mallon all voting yes with Resolution 152(24) being approved.

Mr. John J. Mallon, Chairman, then asked for a motion for the consent agenda on resolutions 142(24) through 151(24) and 153(24) through 158(24) and to follow the abstention list. - Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

7. Adoption of Resolutions:

Resolution 142(24) – Finance Committee Report – May 8, 2024 - \$446,945.09– Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, with Dr. Gupta abstaining on Item #24-00996 and #24-00997; and Dr. Kubiell abstaining on Item #24-00996 and # 24-00997, and Senator Singer abstaining on # 24-00996 and #24-00997 and unanimously approved.

Resolution 143(24) – Personnel Committee Report – May 8, 2023 – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 144(24) – Authorization to enter into an agreement with the County of Ocean – direct and indirect cost for 2024 -Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, with Mr. Mancini abstaining and unanimously approved.

Resolution 145(24) – Authorization to execute documents for the retention of real estate broker services - Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 146(24) – Authorization to accept insurance reimbursement from the health insurance claims of clients for seasonal vaccinations – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 147(24) – Authorization to enter into a contract to provide an online alcohol prevention portal – Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 148(24) – Authorization to enter into a Memorandum of Agreement with CHEMED and Ocean Health Initiatives for the provision of Dental Clinic Services in an amount not to exceed 50% of each respective awarded 2023 contract until July 1, 2024- Motion was made by Dr. Theresa Kubiell, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 149(24) – Authorization to apply for the New Jersey Department of Health Childhood Lead Exposure Prevention Project Grant – in an amount not to exceed \$205,550.00 – for the period July 1, 2024, through June 30, 2025 – Motion was made by Dr. Theresa Kubiell,

period July 1, 2024, through June 30, 2025 – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 151(24) – Authorization to apply for the OLPCHI24 County Infrastructure Grant Program 2024 in an amount not to exceed \$1,442,915.00 for the period of July 1, 2023, through December 31, 2024.- Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 153(24) – Authorization to apply for Diabetes Prevention and Control Program grant for an amount not to exceed \$25,000.00, for the period of July 1, 2024, through June 30, 2025 – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 154(24) – Authorization to forward the FY 2025 Ocean County Solid Waste Control Plan to the Ocean County Solid Waste Advisory Council, Ocean County Board of Commissioners and the New Jersey Department of Environmental Protection – and to authorize the Public Health Coordinator to enter into related agreements concerning the enforcement aspects of the Ocean County Solid Waste Program – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, with Ms. Jennifer Bacchione abstaining from Berkeley; Ms. Veronica Laureigh abstaining from Lacey; Mr. Henry Mancini abstaining from Barnegat, Berkeley, Brick, Eagleswood, Jackson, Lacey, Little Egg Harbor, Long Beach Township, Ocean, Seaside Heights, Seaside Park, Stafford, Toms River, Tuckerton and Ocean County; and Mr. John J. Mallon, Chairman abstaining from Pine Beach, and unanimously approved.

Resolution 155(24) – Recognition of June 10-14, 2024, as National Community Health Improvement Week – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 156(24) – Recognition of June 10-16, 2024, as National Men’s Health Week – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 157(24) – Recognition of June 27, 2024, as National HIV Testing Day – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

Resolution 158(24) – Recognition of May 2024 as National Hepatitis Awareness Month – Motion was made by Dr. Theresa Kubiel, seconded by Ms. Veronica Laureigh, and unanimously approved.

7. Mr. Mallon excused Dr. Hill from the meeting after all resolutions were voted on. Mr. Mallon mentioned it was Nurse’s week and thanked the nurses for all that they do.

8. Comments: Commissioner Deputy Director Gary Quinn, Liaison to the Board of Commissioners

Comments from Commissioner Deputy Director Gary Quinn: Commissioner Deputy Director Gary Quinn, Liaison to the Board of Commissioners wanted to clarify the Board of Commissioners does not oversee the Ocean County Board of Health, and the main focus for the County and the Board of Health in regard to the Toms River Animal Shelter is to make sure all the animals are safe and taken care of. Both the Ocean County Board of Health and Board of Commissioners will never take ownership of that shelter because it belongs to the Toms River residents and taxpayers. Being the liaison between the County and the Board of Health, we want to ensure that the shelter stays open, and the animals are cared for.

Ms. Bacchione stated she had an opportunity to tour the Ocean County Animal Facilities and was impressed by the facilities, the workers, their devotion and care for the animals and is hurt that this situation with the Toms River Animal Shelter is more political than it being about the animals and what is best for them and when the Ocean County Health Department and the Board of Health heard this shelter might be closing they stepped up and stated they would take care of the animals so this is not political on our part, our concern is for the care of the animals. Thank you to Chairman Mallon and Daniel Regenye and the staff of the Ocean County Health Department. If anyone has any concerns, please go, and tour these animal facilities and see how they care for the animals.

Daniel E. Regenye, Public Health Coordinator of the Ocean County Health Department recognized the hard work of the staff and acknowledges the support we also get from two volunteer groups, the rescues, and the foster groups that we also work with do a phenomenal job.

9. Comments from the Public: Comments from members of the audience were invited at this time to speak: Mr. John J. Mallon, Chairman, asked if anyone from the public wished to speak.

Irene Watson spoke again and asked the question in regard to money that was bequeathed to the Toms River Animal Shelter. If the Ocean County Health Department takes over the shelter would the money be used for the shelter. Mr. Mallon said his understanding was that money would be used for the shelter.

10. Authorization to Enter Into Closed Session If Necessary: Closed Session was not needed at this time.

11. Adjournment: A motion was made by Senator Singer, seconded by Ms. Veronica Laureigh, and the meeting adjourned at 10:23 a.m.

Secretary/Treasurer

EXHIBIT L

May 14, 2024

Via Hand Delivery

Mike Cruoglio, Township Clerk
Township of Toms River
PO Box 728
Toms River, NJ 08754

Re: Petition for Referendum Pursuant to N.J.S.A. 40:69A-185

Dear Mr. Cruoglio:

We have enclosed a petition for filing with your office, pursuant to N.J.S.A. 40:69A-185, to protest against the passage of an ordinance of Toms River Township designated as "An Ordinance Of The Township of Toms River, County of Ocean, State of New Jersey, Authorizing the Mayor to Execute and the Township Clerk to Attest to a Lease Agreement Between the Township of Toms River and the Ocean County Board of Health Authorizing the Leasing of Certain Municipal Property Pursuant to N.J.S.A. 40A:12-14(B)," approved on April 24, 2024.

Kindly stamp this cover letter to indicate your receipt of this petition.

Sincerely,

The Committee of Petitioners

Thomas Nivison, Sr.
Dana Tormollan
Phil Brilliant
Chris Raimann
Andrea Raimann

**TOMS RIVER MUNICIPAL CLERK
33 WASHINGTON STREET
P.O. BOX 728
TOMS RIVER, NJ 08754-0728**

MAY 14 2024

app.**ANIMALS**

Toms River Animal Shelter: Petitioners say they have the signatures to force new vote

Two-minute read**Jean Mikle**

Asbury Park Press

Published 5:27 a.m. ET May 15, 2024 | Updated 5:27 a.m. ET May 15, 2024

TOMS RIVER - Residents who hope to overturn an ordinance leasing the township's animal shelter to Ocean County have collected more than 4,000 signatures on a petition asking that the measure be rescinded, modified or put before voters in a referendum.

Phil Brilliant, one of the petition drive leaders, said the group dropped off petitions at 2:30 p.m. Tuesday to Township Clerk Mike Cruoglio. Cruoglio has 20 days to certify that the group has collected at least 3,079 registered voters' signatures, the amount needed for the measure to be sent back before the Township Council.

The council voted to approve the ordinance leasing the shelter to Ocean County for \$1 annually last month. The vote was 4 to 3; Ocean County's Board of Health, which runs the county's shelters, agreed last week to enter into negotiations to take over Toms River's shelter.

Since Mayor Daniel Rodrick announced his plans to have the county take over the animal shelter earlier this year, shelter employees and animal advocates have pushed back against the county takeover, arguing that Toms River's shelter achieved "no-kill" status the past two years, while Ocean County's shelters have not. No-kill status means fewer than 10% of animals are euthanized.

'He's really crossed that line': Toms River Animal Shelter workers bark back at mayor
Rodrick has said that he believes the county will do a better job running the shelter than

Toms River has done, and has claimed that it was only through his administration's efforts that many dogs and cats were adopted from a shelter that was full when he took office in January. He said the shelter was completely full when he had Drew Chabot take over operations there after Rodrick took office in January.

The township eliminated adoption fees and increased operating hours to help clear the shelter of adoptable dogs and cats, but Toms River also stopped taking stray animals while the debate over who would run the shelter continued. The council tabled a measure that would have privatized Toms River's animal control, but Rodrick and Business Administrator Jon Salonis have insisted there is no money in the 2024 budget to operate the animal shelter.

Cuts affect Toms River: Will NJ schools rescue package be enough to avert layoffs, sports and program cuts?

A public hearing on the budget, which contains no increase in the municipal purposes tax rate, is scheduled for May 22.

The petition drive marks the second one to challenge an ordinance since Rodrick took office. Petitioners collected enough signatures to repeal a measure that cut two police captains' positions and one patrol officer from the police department's table of organization. The council rescinded the ordinance in late March but Rodrick said he would approve any promotions to the captains' jobs, so the two captains' positions will remain unfilled.

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

EXHIBIT M

app.

TOMS RIVER

'You are a complete sell-out!': Toms River mayor hollers at one-time ally, storms out

Five-minute read



Jean Mikle

Asbury Park Press

Published 5:27 a.m. ET May 24, 2024 | Updated 9:22 a.m. ET May 24, 2024

TOMS RIVER - A divided Township Council adopted a 2024 township budget with no increase in the tax rate Wednesday night, but an already contentious session was marred when Mayor Daniel Rodrick sparred with Councilman Thomas Nivison, calling the councilman "a complete sell-out" before Rodrick abruptly left the meeting.

Both the mayor and Business Administrator Jon Salonis left following the exchange with Nivison, who had questioned the qualifications and potential conflicts of lawyer Donald F. Burke, who was hired to represent Toms River in ongoing litigation regarding the former Ciba-Geigy Corp. Superfund site.

The council agreed to hire Burke for up to \$50,000 to represent Toms River, which has appealed the state's settlement with BASF, owner of the Ciba property off Route 37 and Oak Ridge Parkway. Rodrick said that while Burke does not have experience litigating natural resource damage cases, he is an experienced attorney who has successfully argued many cases before the state Supreme Court and the Appellate Division.

"We decided not to use in-house counsel but to get a good litigator," Rodrick said in response to questions raised by Nivison.

A blueprint for inclusion: Field of Dreams hosts Shore special needs high school kickball

Assistant Township Attorney Peter Pascarella said two firms had responded to a request for proposals to represent the township, and Burke's firm was selected.

Nivison noted that Burke is currently in court "fighting Save Barnegat Bay" in another case unrelated to the BASF suit. Toms River has partnered with Save Barnegat Bay to fight the settlement, which will set aside 1,000 acres of land for preservation, but allow BASF to develop 250 acres of the Ciba site.

Toms River: NJ deal on 16-year-old Ciba-Geigy lawsuit stinks, so we'll keep fighting

"Seems like the fox guarding the hen house to me," Nivison said. He then made an unsuccessful motion to table the resolution to hire Burke's firm, which failed by a 4 to 3 margin. The council then voted to hire Burke by a 5 to 2 margin, with Nivison and Councilman James Quinlisk voting no.

Toms River: Two synagogues planned for North Dover area

Burke was also the lawyer who recently represented Council Vice President Lynn O'Toole and Bill Byrne, who is seeking the Ward 2 council seat in the June 4 primary, when Byrne's opponent, former Councilman Kevin M. Geoghegan, attempted to have Byrne thrown off the ballot.

Geoghegan unsuccessfully argued that Byrne waited too long to switch his party affiliation from Democrat to Republican (he switched parties on March 8), and that O'Toole, who notarized Byrne's candidate petition, was conflicted because she supports his run for office.

"To put that in the hands of someone who has never litigated this type of case, they are going to get run over," Quinlisk said of Burke.

"Even engaging some of you is a waste of time at this point," the mayor responded. "Your entire purpose is to distract and create chaos at the meeting."

When Nivison voted against hiring Burke, Rodrick yelled at the councilman, one of his three 2023 running mates. "You are a complete sell-out!" Rodrick said.

Not their first fight: Toms River mayor, councilman start shouting match over what to do with animal shelter

"I told you from Day 1 that I am not a 'yes' man," Nivison responded. Rodrick then got up and left the meeting, followed by Salonis. Audience members loudly applauded the mayor's departure, as did Nivison and Quinlisk, on the dais.

Before the dispute with Nivison, the council adopted a \$142.7 million budget that will maintain the municipal tax rate at 43 cents per \$100 of assessed property value. It marks the fourth straight year with no municipal purposes tax increase, and Salonis said 2024 was made more difficult by the loss of more than \$3 million in funding from federal American Rescue Plan money, which ran out this year.

"We are keeping taxes flat while raising roads, improving and constructing parks, and streamlining services at town hall," Salonis said. Among this year's plans are the purchase of the old boat works property on Robbins Parkway, where Rodrick would like to see a pier constructed, possibly with a restaurant and bar. The township is also planning an ambitious road elevation program, to complete raising flood-prone roadways by the end of Rodrick's term in 2027.

Toms River: Police chief takes township to court over his unpaid suspension

Rodrick also anticipates saving \$2 million in health insurance costs next year after the council agreed to switching insurance brokers early in his term. Some budget items have risen: law department salaries are up, to \$450,000 from \$234,600; while legal services and costs are anticipated to be \$900,000, up from \$600,000. Another \$300,000 has been set aside for "labor negotiations."

Salaries and wages in the code enforcement department have dropped to \$540,250 from \$1,195,000 after the township repealed a controversial continuing certificate of occupancy ordinance in January, and the administration eliminated the jobs of eight code enforcement officers who had been hired to help do inspections related to the measure.

Dozens of former township employees have either left their jobs, retired or been laid off since the mayor took office.

The township also plans to pay off more than \$10 million in bonded debt this year. Toms River was forced to hire an outside firm to complete the budget after Chief Financial Officer Judith Tutela resigned in February. Business Administrator Salonis is acting CFO.

'Fools go it alone': Two of new Toms River mayor's appointees quit after month on the job

"After reviewing the budget in its entirety, it's the most responsible one I've seen," Councilman Justin Lamb said. He said the budget over the last two years was "being propped up" by federal American Rescue Plan funds, and noted that there are contracted

salary increases in the spending plan.

"We had a very large tax increase about 2½ years ago," said O'Toole, referring to a revaluation that raised taxes for many older adults in Toms River's retirement communities. "It damn near destroyed a lot of the fixed income people. ... That really hit the seniors in Toms River hard. ... When there is no tax increase, I'm in, and I vote 'yes.' "

Councilman David Ciccozzi called the budget "voodoo economics" before he voted against it, questioning everything from a \$1.7 million increase in anticipated interest on investments, to a \$645,000 raise in the information technology department.

"I don't know what you are talking about," Rodrick said. "You are kinda incoherent when you speak." He said Ciccozzi could have questioned him about the spending plan since it was introduced in late April, but never did.

Ongoing Toms River GOP split: 'You are not going to have my cooperation. Zero'

Nivison abstained on the budget, expressing frustration that there had not been a meeting to discuss its details. He said he would have been willing to pay more in taxes to fund the animal shelter, which Rodrick's administration plans to lease to Ocean County.

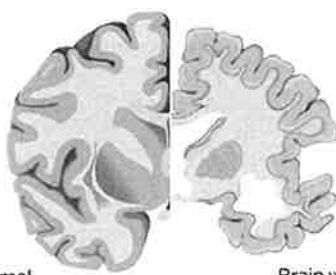
Quinlisk, who voted against the budget, called it "a farce." The budget was adopted by a 4 to 2 vote, with Nivison abstaining.

Jean Mikle covers Toms River, Seaside Heights, and several other Ocean County towns. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.


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No Tax Increase, Animal Costs Questioned In Toms River

By **Chris Lundy** - June 2, 2024



Business Administrator Jonathan Salonis reads details about the 2024 budget during a recent Township Council meeting. (Photo by Chris Lundy)

TOMS RIVER – The municipal budget for the year was passed but some people still want to find money to keep the Toms River Animal Shelter under local control.

The 2024 budget is \$142,783,275.18. It is an increase of \$1,913,128.48 from last year's \$140,870,146.70.

The amount to be raised by taxes will be \$89,377,095.38. It is an increase of \$378,850.23 from last year's \$88,998,245.15.



ADVERTISING

For the home based on the average assessment of \$446,100, their municipal tax bill of \$7,721.99 would stay the same, said Business Administrator Jonathan Salonis.

Towns build their budgets throughout the calendar year, which is why the vote for this is happening in May. The town collects taxes for the school district, county government, and other entities. This article is only about the municipal budget.

While several figures were questioned during the Township Council meeting when the budget was voted on, the most questions were about the animal shelter.

Toms River approached the county to see if they could take over the Toms River Animal Shelter. A petition drive was held to keep it under local control.





Residents lined up to ask questions about township issues. (Photo by Chris Lundy)

Advocates for the shelter asked the governing body to find money to continue its operation. Mayor Daniel Rodrick and his allies on the council and administration have said that there is no money in the budget. Shelter advocates have said that this is by choice, and that if they wanted to fund it, they could.

There's already money donated to the shelter from a will of someone who passed away. The fate of that \$1 million has been in discussion for months.

The money is going to stay with the animals, no matter who is running the facility, Rodrick said. He added that the deceased also provided money for the county shelter. Therefore, it would not be against her wishes to have the county take over.

Resident Debbie Curci asked what will happen with the debt the town owes on the shelter? When it was built by a previous administration, the town borrowed money for it. The town is still paying off that loan. Some critics of closing the shelter said it is not a good idea financially to give away a property that taxpayers are still paying for.

Rodrick said that the debt for that building gets rolled in with other debt every year.

Councilman James Quinlisk, who is from a different political group than the mayor, said this is a "shell game." The debt doesn't go away. The town still owes it, and it doesn't matter whether the debt is rolled into something else or not.

Rodrick has said that the shelter is poorly run and that the animals were not cared for. Residents have shown that they were cared for and that the problems of the past shelter management are gone.

"This is not a successful business," Rodrick said of the shelter.

"It's not a business. It's a service to the people of Toms River," Quinlisk said.

Resident Phil Brilliant said that at the end of last year, there was \$47 million in surplus. Of that, \$20 million is being used to balance this year's budget.

With all the money being used in surplus, couldn't there be \$500,000 found to keep the shelter?

He noted that there is \$1.6 million being spent on legal fees and \$2 million for an information technology department.



Rodrick said that a certain amount of money has to be kept in reserves. If it goes too low, it affects the town's bond rating.

A bond rating is like a credit score for a town. The better it is, the better your rates are when you borrow money.

Resident Julie Adamek asked why there are different numbers being used at different meetings. At one meeting, town officials said the shelter costs half a million dollars to run. At this meeting, it was said it costs \$1 million.

Resident Tom Fredella said that there was already \$300,000 allocated for the shelter, so it's not about finding half a million dollars, it's about finding another \$200,000.

Councilman Thomas Nivison suggested that the town cut back on renovating one park and use the money for the shelter.

Rodrick answered that it matters where the money comes from. You can borrow money for a project – such as a park – but not for people – such as staff at the shelter.

Councilman Justin Lamb said the budget is responsible. Increases in raises came from employee contracts from previous administrations. He voted "yes."

Councilwoman Lynn O'Toole said that two and a half years ago there was a very large tax increase that really hit seniors hard. "They're struggling and they're still struggling." She voted "yes."

Councilman David Ciccozzi said that the actual budget is up by about \$1.4 million. He saw that legal fees are up by \$300,000 from last year. The budget lists \$1.7 million in revenue in the form of interest and investments. He said he didn't know what that was. He voted "no."

Nivison said he thought that the council members would have meetings about the budget so they could be more informed before voting.

"I'm going to put my trust and confidence in the company we hired" to craft the budget. "I would be in favor of paying a higher tax to keep the shelter."

He abstained from voting.

Councilman George Lobman voted "yes" without making many comments during the discussion.

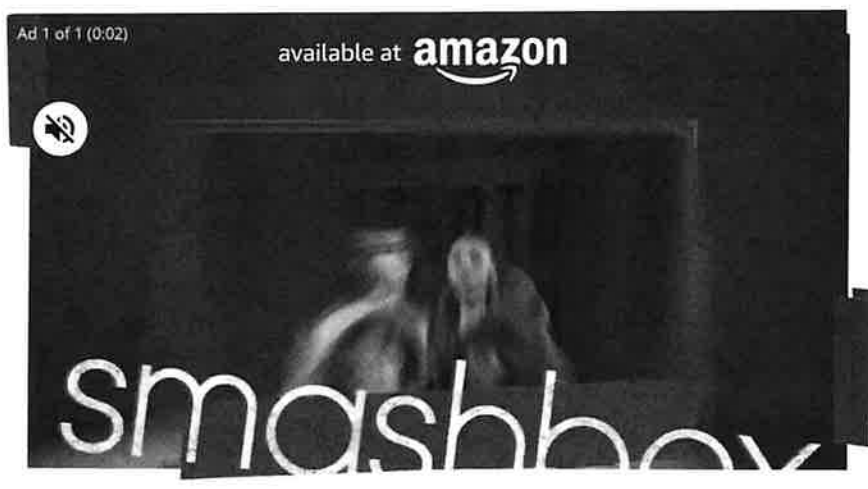
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Council President Craig Coleman said that in his 32 years as a school administrator, he learned to trust in the professionals doing the work like crafting budgets so he voted "yes."



Chris Lundy

Chris Lundy is News Editor at Micromedia Publications/Jersey Shore Online. He has covered Ocean County news and features in various publications since 2003. Lundy worked for Gannett with articles in The Beacon, Observer and Asbury Park Press. He's also written for the Community Connection, Patch and ShoreBeat.



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News

No Tax Increase, Animal Costs



Questioned In Toms River

🕒 JUNE 3, 2024 5 MIN READ

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For the home based on the average assessment of \$446,100, their

RECENTLY PLAYED SONGS

Currently Playing:
Beatles - Come together (04:11)

Coming Up Next
James Taylor - How Sweet it is (To be loved by you)

Previously Played
Ventures - Hawaii Five-O
Engelbert Humperdinck - Release Me (And Let Me Love Again)
Al Martino - Spanish Eyes
Stylistics - You Are Everything
Three Dog Night - Easy To

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Local Massage Parlor Owners Arrested For Operating Prostitution Ring

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, May 22, 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: April 24, 2024 Regular Meeting**
6. **Honoring Resolutions and Presentations:**
 - a. Older Americans Month

Budget Hearing

7. 2024 Municipal Budget Public Hearing
8. Resolution to Adopt 2024 Toms River Municipal Budget

Ordinance- First Reading

9. **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

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.

10. Consent Items
 - a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund 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 Place-To-Place Transfer Of Plenary Retail Consumption License Number 1507-33-019-009 Issued To Spot Enterprises, Inc. T/A 37
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Purchasing Division To Sell Three (3) 2007 Clubcar Tempo Golf Carts No Longer Needed For Public Use, To The Toms River Board Of Education, For A Total Of \$3.00, Pursuant To N.J.S.A. 40A:11-36(2)
 - e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of An Open-Ended Contract For Bio-Decontamination Services (Bid-2024-147) To Servepro Of Toms River, As The Sole Bidder Meeting All Of The Bid Specifications
 - f. **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 Barber Surf Rake Repair Parts (Bid-2024-152) To H. Barber & Sons, Inc., As The Sole Bidder Meeting All The Bid Specifications
 - g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing An Open-Ended Contract For General Construction And Repair Services (Bid-2024-153) To Crest Construction Group, Who Meets All The Bid Specifications
 - h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For Manufacturing, Printing And Mailing Services For Calendar Years 2024 And 2025 Tax Bills And Notices (Bid-2024-154), To Advanced Computer Concepts Inc., D/B/A Trec, As The Sole Bidder Meeting All The Bid Specifications
 - i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Reduced Performance Guarantees For A Major Site

Plan Known As, Block 120, Lot 6, 8 And 9, Block 131 Lot 285 -288, Block 132, Lot 277-285 (229 Route 70)

- j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 120, Lot 3.03 (277 Route 70)
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Performance Guarantees For A Minor Site Plan Known As Block 1946.02, Lot 48 (318 Venice Drive)
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 411, Lot 129 (730 Route 37 West)
- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 794.08, Lot 5 (3011 Route 37)
- n. **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 166, Lot 6, 7, 8 And 15.03 Phase 2 And Phase 3 (Cox Cro Road And Lakewood Road)
- o. **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 Subdivision Known As Block 173 Lot 37 And 40 (Hickory Street)
- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Subdivision Known As Block 794.44, Lot 6.02 (Point Road)
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of The Professional Services Of The Law Firm Of Donald F. Burke, Esq., For Pool General Legal And Litigation Services For Calendar Year 2024, To Be Utilized On An As-Needed Basis
- r. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Extending The Term Of The Professional Service Contract With Trc Environmental Corp., For Landfill Environmental Consultant Services Through December 31, 2024
- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A License Agreement With The County Of Ocean And The Ocean County Utilities Authority For Employee Parking And Storage Of Certain Materials And Equipment On The Licensed Premises, Block 1033, Lot 1
- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey, Authorizing The Business Administrator To Execute An Event Contract With Cliffhanger Productions, Inc., For The 2024 Summer Concert Series, At Shelter Cove Beach Stage For Five (5) Concert Performances, In The Total Amount Not To Exceed \$31,130.00 (A Deposit In The Amount Of \$15,565.00 Is Required Immediately At This Time)

- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Of Toms River To Accept A Grant From The State Of New Jersey, Department Of Law And Public Safety, Office Of The Attorney General, In The Amount Of \$45,150.00, Under The Fy2024 Safe And Secure Communities Grant Program, Subaward Grant Number 24-1507, And Authorizing Mayor Daniel T. Rodrick And Police Chief Mitchell Little, To Execute And The Township Clerk To Attest To, A Subgrant Award, And Any And All Documents In Connection With This Grant
- v. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Payment To The Law Firm Of Secare & Hensel, Eqs. For Professional Services As Hearing Officer For Three (3) Disciplinary Hearings For A Total Maximum Amount Not To Exceed \$7,945.00
- w. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To An Agreement Retaining The Law Firm Of Donald F. Burke, Esq., For Special Counsel Services To Handle The Appeal Of The Administrative Settlement Between Njdep And Basf Corp. Relating To The Catastrophic Pollution And Contamination At The Ciba Geigy Superfund Site, Retroactive To May 1, 2024 Through December 31, 2024, In A Total Contract Amount Not To Exceed \$50,000.00
- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Business Administrator To Execute A Rental Agreement/Contract With Funflicks Of New Jersey, Outdoor Movies, For The 2024 Summer Movies Series, At Huddy Park, For Six (6) Event Dates, In The Total Amount Not To Exceed \$6,274.66 (A Deposit In The Amount Of \$3,137.36 Is Required Immediately At This Time)

Reports

11.	Building Department	2024	2023
	Building Permits - April	\$162,726.00	\$330,694.00
	Building Permits - YTD through April	\$1,203,607.00	\$1,331,277.00
	Recreation Department	2024	2023
	Bey Lea Golf Course- April	\$203,229.65	\$204,126.48
	Bey Lea Golf Course- YTD through April	\$446,471.50	\$397,095.40
	Winding River Ice Rink- April	\$79,212.00	\$76,130.50
	Winding River Ice Rink-	\$498,804.97	\$477,344.54

YTD through April		
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12. Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Wednesday, May 22, 2024 7:00 PM

1. **Meeting called to order.**

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 7:00 PM.

2. **Flag salute.**

Council President Coleman opened with the salute to the Flag.

3. **Open Public Meetings Act statement.**

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

**OPEN PUBLIC MEETINGS ACT
STATEMENT**

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Thursday, January 4, 2024, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Tuesday January 2, 2024, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, January 1, 2024. The meeting dates have also been posted on the Township web page.

4. **ROLL CALL:**

CICCOZZI

Present

LAMB

Present

LOBMAN	Present
NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

5. **Minutes: April 24, 2024 Regular Meeting**

Motion: Approve

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

6. **Honoring Resolutions and Presentations:**

Motion: Approve Honoring Resolutions and Presentations

Motion Made By: Thomas Nivison

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

a. **Older Americans Month**

Mayor and Council Presented Laura Piccuro from the Toms River Senior Center with a proclamation.

Township of Toms River Proclamation

May 2024

WHEREAS, "Aging Unbound" defines this year's celebration of Older Americans

Month; and

WHEREAS, through wisdom, positive work ethics and endless talents, older Americans serve as the backbone of our country; and

WHEREAS, staying engaged in activities both physically and mentally promotes well-being in our senior population, enabling them to volunteer their services to many non-profit agencies, healthcare facilities and community outreach programs.

WHEREAS, in 1963, Older Americans Month was established to acknowledge and pay homage to older persons throughout our country during the month of May; and

WHEREAS, prior to 1963, a number of older Americans lived in poverty, so the country began fostering events and activities nationwide to help promote support for our aging population's needs; and WHEREAS, during Older Americans Month we acknowledge our senior population for the positive effects their infinite wisdom has on our community; and

WHEREAS, older Americans bring beneficial and rewarding services to our residents through the many humanitarian and volunteer programs they are involved with.

NOW, THEREFORE, be it resolved that I, Daniel T. Rodrick and the Council of the Township of Toms River in the County of Ocean and State of New Jersey, wish to proclaim the Month of May as Older Americans Month and extend our thanks to them for making a pronounced and positive "difference" throughout our community every day.

Budget Hearing

7. 2024 Municipal Budget Public Hearing

Business Administrator Jonathan Salonis gave a presentation on the 2024 Municipal Budget

Council President Coleman opened the floor for Public Comment:

Debra Curci- Bartine Street- Asked who will pay for the mortgage of Animal Shelter and what happened to million dollar donation.

Mayor Rodrick said there is no mortgage, it was bonded. Million dollar donation will still go towards shelter.

Phil Brilliant- 79 Holly Tree Lane- Asked about surplus, why can't we find a half million dollars to continuee running the Animal Shelter?

Julie Adamek- Cedar Grove Road- Should not be throwing around different numbers every time the Animal Shelter's budget is discussed. Money from Law and Engineering should be taken out and allocated to the Shelter.

Carlos Almizar- Winteringham- Concerned about employees who are currently working at the Shelter.

Irene Watson- Messenger Street- .5% of budget go toward ht Animal Shelter. County will also require tax money to run the Shelter.

Tom Fredella- 752 Jacqueline court- there are ways to turn the animal shelter into a revenue-generating department.

Phil Brilliant- 79 Holly Tree Lane- Council has the power to amend the budget

Motion: Close Budget Hearing

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

8. Resolution to Adopt 2024 Toms River Municipal Budget

**RESOLUTION OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER,
OCEAN COUNTY, NEW JERSEY, ADOPTING THE FISCAL YEAR 2024
MUNICIPAL BUDGET**

May 22, 2024

WHEREAS, in accordance with N.J.S.A. 40A:4-4a, the fiscal year 2024 ("FY2024") municipal budget was introduced and approved by resolution dated April 24, 2024; and

WHEREAS, the FY2024 was publicly advertised in accordance with N.J.S.A. 40A:4-6; and

WHEREAS, in accordance with N.J.S.A. 40A:4-7, a public hearing on the FY2024 municipal budget was held on May 22, 2024; and

WHEREAS, the FY2024 municipal budget has been certified by the Director of the Division of Local Government Services ("DLGS") in the Department of Community Affairs:

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

1. In accordance with N.J.S.A. 40A:4-10, the FY2024 municipal budget, as reviewed and approved by DLGS, attached hereto as Schedule A, is hereby adopted.
2. A certified copy of this resolution shall be provided to the following parties and remain on file in the Office of the Township Clerk:

- a. Mayor Daniel T. Rodrick
- b. Business Administrator
- c. Certified Financial Officer
- d. Township Attorney
- e. All Township Departments
- f. Director, Division of Local Government Services, DCA

Councilman Lamb- Most responsible budget he has seen

Council Vice-President O'Toole- Tax increase 2 1/2 years ago had hit the senior citizen community hard

Councilman Ciccozzi- Towns have higher tax rate than Toms River. We are doing good but can do better. Asked questions about the budget.

Councilman Nivison- Thought there would be budget meetings to discuss. Unsure of what most items are.

Councilman Qunlisk- Budget is a farce. Salaries have increased, but have lost 64 employees. ARPA money was stimulus, not used to balance the budget. No budget committee or committee meetings.

Council-President Coleman- In past years working in administration, when unsure, professionals were called in.

Motion: Approve 2024 Toms River Municipal Budget

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Abstain
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Ordinance- First Reading

9. **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:

INTERSECTION: STOP SIGN INSTALLED ON:

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.

Councilman Lamb thankful for this ordinance to put stop sign at intersections in his ward .

Motion: Approve Item 9

Motion Made By: George Lobman

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes

Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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.

10. Consent Items

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

Items to be read separately: H, Q, R, S, T, V, W, X

Motion: Approve Consent Agenda with the exceptions of H, Q, R, S, T, V, W, X

Motion Made By: George Lobman

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund of Tax Payments

**RESOLUTION
MAY 22, 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

ANDRAWIS, ANDREW	1462.17	3	2024/1	\$3,583.61
TOTAL:				\$3,583.61

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

A2.

**RESOLUTION
MAY 22, 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	265	29	2024/2	\$2,026.57

<i>Total:</i>				<i>\$2,026.57</i>

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

- 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

B1. 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 706.04 LOT 18 EFFECTIVE MARCH 20, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 22, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 706.04 Lot 18, located at 482 West End Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective March 20, 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 706.04 Lot 18 due on or after, March 20, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 706.04 Lot 18, if any, shall be refunded on a pro-rated basis from March 20, 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

B2. 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 135.18 LOT 29 EFFECTIVE JANUARY 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 22, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 135.18 Lot 29, located at 2672 Silver Hill Lane, 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 135.18 Lot 29 due on or after, January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 135.18 Lot 29, 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

B3. RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERANS STATUS FOR THE OWNER OF BLOCK 510.29 LOT 9 EFFECTIVE JANUARY 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 22, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 510.29 Lot 9, located at 42 Cliffside 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 510.29 Lot 9 due on or after, January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 510.29 Lot 9, 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

B4. 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 297.02 LOT 84 EFFECTIVE JANUARY 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 22, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 297.02 Lot 84, located at 5 Bay Point 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 297.02 Lot 84 due on or after, January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 297.02 Lot 84, 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

B5. 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 533.01 LOT 23 EFFECTIVE JANUARY 1, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 22, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 533.01 Lot 23, located at 441 River Terrace, 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 533.01 Lot 23 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 533.01 Lot 23, 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

B6. RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CERTIFYING ENTITLEMENT OF A 100% DISABLED VETERAN STATUS FOR THE OWNER OF BLOCK 192.49 LOT 37 EFFECTIVE JANUARY 1, 2024 AND PROVIDING THAT 50% OF PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

May 22, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block

192.49 Lot 37, located at 1532 Alpen Drive, has been certified by the Tax Assessor as a of a 100% Disabled Veteran effective January 1st, 2024, and WHEREAS the property owner owns 50% of the dwelling and WHEREAS property taxes for 2024 on 50% of the dwelling, as of the effective date of the certification of disability by the Tax Assessor, are to be cancelled; and WHEREAS any taxes paid on 50% of the dwelling 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. Half of the 2024 real property taxes for Block 192.49 Lot 37 due on or after January 1, 2024, shall be cancelled.
 2. Half of the real property taxes from the date of this Resolution paid on Block 192.49 Lot 37 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
- c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Place-To-Place Transfer Of Plenary Retail Consumption License Number 1507-33-019-009 Issued To Spot Enterprises, Inc. T/A 37

MAY 22, 2024

WHEREAS, an application has been filed for PLACE-TO-PLACE TRANSFER of Plenary Retail Consumption License #1507-33-019-009 issued to Spot Enterprises, LLC., to be located at 2018 Route 37 Toms River, NJ; and WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

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

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

1. It authorize; the Place-To-Place Transfer to place Plenary Retail Consumption License Number 1507-33-019-009, held by "Spot Enterprises, Inc." located at 2018

Route 37, Toms River, NJ, 08753.

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

- a) Police Department
- b) Chief Financial Officer
- c) Council
- d) Attorney
- e) State of New Jersey
Division of Alcoholic Beverage Control
140 E. Front Street P.O. Box 087 5th Floor
Trenton, N.J. 08625-0087
- f) Spot Enterprise, Inc.
952 Lakewood Rd
Toms River, NJ 08753

- d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Purchasing Division To Sell Three (3) 2007 Clubcar Tempo Golf Carts No Longer Needed For Public Use, To The Toms River Board Of Education, For A Total Of \$3.00, Pursuant To N.J.S.A. 40A:11-36(2)

MAY 22, 2024

WHEREAS, the Division of Purchasing is requesting authorization to sell three (3) 2007 Clubcar DS Player golf carts no longer needed for public use, to the Toms River Board of Education, 1144 Hooper Avenue, Toms River, New Jersey, 08753; and **WHEREAS**, N.J.S.A. 40A:11-36(2) authorizes the Township to not advertise for bids on any sale of personal property when the transaction is within the U.S., the State, or any body politic to which it contributes tax raised funds;

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

1. Pursuant to N.J.S.A. 40A:11-36 (2), it hereby authorizes the Division of Purchasing to sell three (3) 2007 Clubcar DS Player golf carts no longer needed for public use, to the Toms River Board of Education, as follows:

The golf carts shall be given to the following locations for \$1.00 each, for a total of \$3.00:

Toms River North High School Toms River South High School
1245 Old Freehold Road 55 Hyers Street
Toms River, NJ 08753 Toms River, NJ 08753

Toms River East High School
1225 Raider Way
Toms River, NJ 08753

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

- a) Purchasing Division
- b) Township Attorney
- c) Chief Financial Officer
- d) Finance Dept., Denise Wahlers
- e) Division of Parks, Buildings and Grounds
- f) Laurie Knemoller, Clerk's Office
- g) Toms River North High School
1245 Old Freehold Road
Toms River, NJ 08753
- h) Toms River South High School
55 Hyers Street
Toms River, NJ 08753
- i) Toms River East High School
1225 Raider Way
Toms River, NJ 08753

- e. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of An Open-Ended Contract For Bio-Decontamination Services (Bid-2024-147) To Servepro Of Toms River, As The Sole Bidder Meeting All Of The Bid Specifications

MAY 22, 2024

WHEREAS, bids were invited for Bio-Decontamination Services; and
WHEREAS, one (1) bid was received on April 18, 2024, from the following vendor:

SERVPRO of Toms River
15 Adafre Avenue
Toms River, NJ 08753

WHEREAS, the bid has been reviewed by the Division of Purchasing and they have recommended that a contract be awarded for Bio-Decontamination Services to SERVPRO of Toms River, as the sole bidder meeting all the bid specifications;
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Toms River, in the County of Ocean, and State of New Jersey, as follows:

1. It hereby awards an open-ended contract for Bio-Decontamination Services (Bid-2024-147) to SERVPRO of Toms River, 15 Adafre Avenue, Toms River, NJ, 08753, as the sole bidder meeting all the bid specifications.
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 municipal budget.
3. The method of award shall be based on a Per Line Item Basis. Bidders shall indicate their unit prices for each product on the Bid Table.
4. The term of the contract shall commence June 9, 2024 for a period of twenty-four (24) 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 after the expiration of the original contract term. The award of this contract is subject to all the terms and conditions of the bid specifications.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Finance Dept. – Denise Wahlers
- d) Township Attorney
- e) Department of Parks, Buildings and Grounds
- f) Police Department
- g) SERVPRO of Toms River
15 Adafre Avenue
Toms River, NJ 08753

- f. **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 Barber Surf Rake Repair Parts (Bid-2024-152) To H. Barber & Sons, Inc., As The Sole Bidder Meeting All The Bid Specifications

MAY 22, 2024

WHEREAS, bids were invited for the Furnishing and Delivery of Barber Surf Rake Repair Parts; and

WHEREAS, one bid was received on April 25, 2024, as follows:

H. Barber & Sons, Inc
15 Raytkwich Dr
Naugatuck, CT 06770

Discount off current Barber Repair
Parts Price List:

0%

H. Barber & Sons, Inc

Manufacturer Bid:

"Barber"

Percentage discount for payment within
30 days:

0 %

Availability of parts after receipt of
order:

2 days

WHEREAS, the bid has been reviewed by the Purchasing Division, and they have recommended that the award of an open-ended contract for the Furnishing and Delivery of Barber Surf Rake Repair Parts be made to H. Barber & Sons, Inc., as stated above;

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 Barber Surf Rake Repair Parts (Bid-2024-152) to H. Barber & Sons, Inc., 15 Raytkwich Dr., Naugatuck, CT, 06770, as sole bidder meeting all the bid specifications, as follows:

H. Barber & Sons, Inc
15 Raytkwich Dr
Naugatuck, CT 06770

Discount off current Barber Repair
Parts Price List:

0%

H. Barber & Sons, Inc

Manufacturer Bid:

"Barber"

Percentage discount for payment within
30 days:

0 %

Availability of parts after receipt of
order:

2 days

2. The term of this contract shall commence July 22, 2024 for a period of twenty-four (24) 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. 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 remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

3. The method of award shall be based on the Highest Discount Percentage submitted on the Bid Table.

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

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Finance Dept. – Denise Wahlers
- d) Township Attorney
- e) Public Works
- f) H. Barber & Sons, Inc.
15 Raytkwich Drive
Naugatuck, CT 06770

- g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing An Open-Ended Contract For General Construction And Repair Services (Bid-2024-153) To Crest Construction Group, Who Meets All The Bid Specifications

WHEREAS, bids were invited for General Construction and Repair Services; and
WHEREAS, four (4) bids were received on April 25, 2024 from the following vendors:
Ameristar Contracting Group Crest Construction Group
1 Memorial Drive 880 Route 9
Waretown, NJ 08758 Little Egg Harbor, NJ 08087

GPC Inc. Seacoast Construction Inc.
20 East Willow Street 15 Addington Court
Millburn, NJ 07041 East Brunswick, NJ 08816

The bids received from Ameristar Contracting Group and GPC Inc. shall be rejected for failure to supply an original bid bond at the time of opening.

WHEREAS, the bids have been reviewed by the Purchasing Division and they have recommended that the award of contract for General Construction and Repair Services be made to Crest Construction Group, who meets all the bid specifications, as follows:

The below hourly rates and materials markup shall be awarded to Crest Construction Group:

TRADE: HOURLY RATE:

CARPENTER RATES

Journeyman: \$165.00

Foremen: \$175.00

CEMENT MASON/CONCRETE FINISHER

Journeyman: \$165.00

Foremen: \$165.00

PAINTER

Journeyman: \$160.00

Foremen: \$160.00

LABORER

Laborer: \$150.00

MATERIALS MARKUP 10%

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 General Construction and Repair Services (Bid-2024-153) to Crest Construction Group, who meets all the bid specifications, as follows:

The below hourly rates and materials markup shall be awarded to Crest Construction Group:

TRADE: HOURLY RATE:

CARPENTER RATES

Journeyman: \$165.00

Foremen: \$175.00

CEMENT MASON/CONCRETE FINISHER

Journeyman: \$165.00

Foremen: \$165.00

PAINTER

Journeyman: \$160.00

Foremen: \$160.00

LABORER

Laborer: \$150.00

MATERIALS MARKUP 10%

2. The bids received from Ameristar Constructing Group and GPS Inc. shall be rejected for failure to supply an original bid bond at the time of opening.
3. 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 award of this contract is subject to all the terms and conditions of the bid specifications.
4. This contract shall commence June 22, 2024 for a period of twenty-four (24) 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. 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 remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.
5. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
6. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a) Purchasing Division
 - b) Chief Financial Officer
 - c) Finance Dept., - Denise Wahlers
 - d) Township Attorney
 - e) Public Works
 - f) Parks, Buildings & Grounds
 - g) All Aforementioned Bidders
- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of An Open-Ended Contract For Manufacturing, Printing And Mailing Services For Calendar Years 2024 And 2025 Tax Bills And Notices (Bid-2024-154), To Advanced Computer Concepts Inc., D/B/A Trec, As The Sole Bidder Meeting All The Bid Specifications

WHEREAS, bids were invited for Manufacturing, Printing and Mailing Services for Calendar Years 2024 and 2025 Tax Bills and Notices (Bid-2024-154); and

WHEREAS, one (1) bid was received from the following vendor on April 25, 2024, as

follows:

Advanced Computer Concepts, Inc.
d/b/a TREC
808 Lowell Ave.
Toms River, NJ 08753

WHEREAS, the bid has been reviewed by the Purchasing Division, and recommendation has been made to award an open-ended contract for the Manufacturing, Printing and Mailing Services for Calendar Years 2024 and 2025 Tax Bills and Notices (Bid-2024-154) to Advanced Computer Concepts, Inc., D/B/A TREC, as the sole bidder meeting all the bid specifications;

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

1. It hereby awards an open-ended contract for the Manufacturing, Printing and Mailing Services for Calendar Years 2024 and 2025 Tax Bills and Notices (Bid -2024-154) to Advanced Computer Concepts, Inc. t/a TREC, 808 Lowell Ave., Toms River, NJ, 08753, as the sole bidder meeting all the bid specifications.

2. This will be an open-ended contract with funds being encumbered each time an order is placed, contingent upon the availability of the appropriate municipal budget. The award of this contract is also subject to all the other terms and conditions of the bid specifications.

3. The method of award shall be based on a Per Line-Item Basis to the lowest responsive, responsible bidder.

4. Term of Contract: The contract shall commence June 24, 2024 for a period of twenty-four (24) consecutive months.

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

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

- a) Purchasing Division
- b) Chief Financial Officer
- c) Finance Dept. - Denise Wahlers
- d) Township Attorney
- e) Tax Collector
- f) Tax Assessor
- g) Advanced Computer Concepts, Inc.
d/b/a TREC
808 Lowell Ave.
Toms River, NJ 08753

Motion: Approve Item H

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Reduced Performance Guarantees For A Major Site Plan Known As, Block 120, Lot 6, 8 And 9, Block 131 Lot 285 -288, Block 132, Lot 277-285 (229 Route 70)

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 120, Lot 6, 8 & 9, Block 131, Lot 285-288, Block 132, Lot 277-285.

WHEREAS, A Reduced Surety Rider to represent the Performance Bond have been posted as follows:

1. Surety Bond Rider # 800121438 in the amount of \$46,323.00, which represents the performance guarantee amount.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 229 Route 70, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.
- 3) Original Surety Bond # 800121438 in the amount of \$144,693.13 is hereby released.

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. 229 Route 70, LLC

701 Cross Street Suite 134
Lakewood NJ 08701

j. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 120, Lot 3.03 (277 Route 70)

WHEREAS, the Township Engineer has reported to the Township ; ;Council with respect to a Major Site Plan known as Block 120 Lot 3.03.

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond # 100410434 in the amount of \$3,600.00 which represents the ninety percent portion of the performance guarantee amount.
2. Cash Bond in the amount of \$400.00 which represents the ten percent portion of the performance guarantee amount.
3. Surety Bond # 101410435 in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.

1. Check in the amount of \$15,356.57 which represents the

escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by 277 Route 70 Holdings, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River.

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. 277 Route 70 Holdings LLC

701 Cross Street Suite 134
Lakewood NJ 08701

- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Performance Guarantees For A Minor Site Plan Known As Block 1946.02, Lot 48 (318 Venice Drive)

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 1946.02, Lot 48.

WHEREAS, the Township Engineer has made an inspection of said Minor Site Plan and finds that all improvements have been satisfactorily completed; and WHEREAS, the Township Engineer has recommended the release of the Performance 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 Safety & Stabilization Cash Bond in the amount of \$5,000.00 currently on account # 4-14- -902-101, is hereby released with applicable interest if any;

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

1. Township Engineer
2. Chief Financial Officer

c. Township Attorney

d. William H. Sichel

165 Rutgers Place

Clifton NJ 07013

- I. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 411, Lot 129 (730 Route 37 West)

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 411, Lot 129.

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond # GM236678 in the amount of \$75,870.00 which represents the ninety percent portion of the performance guarantee amount.
 2. Cash Bond in the amount of \$8,430.00 which represents the ten percent portion of the performance guarantee amount.
 3. Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
1. Check in the amount of \$12,222.00 which represents the

escrow amount for inspection fees.

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

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

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

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. Hutton Real Estate Holding, LLC

736 Cherry Street
Chattanooga TN 37402

- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 794.08, Lot 5 (3011 Route 37)

WHEREAS, the Township Engineer has reported to the Township ; ;Council with respect to a Minor Site Plan known as Block 794.08, Lot 5.

WHEREAS, Performance Bonds have been posted as follows:

1. Surety Bond # BX2400107 in the amount of \$ 3,600.00 which represents the ninety percent portion of the performance guarantee amount.
2. Cash Bond in the amount of \$400.00 which represents the ten percent portion of the performance guarantee amount.
3. Surety Bond # BX2400108 in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.

1. Check in the amount of \$2,413.21 which represents the

escrow amount for inspection fees.

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

- 1) ; The bonds set forth in the preamble hereto are hereby approved.
- 2) ; Said bond approval is conditioned upon compliance by Always Pure Well Drilling, LLC., its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River. Township Clerk shall send a certified copy hereof to each of the following:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. Always Pure Well Drilling, LLC

3158 Windsor Avenue
Toms River, NJ 08753

- n. **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 166, Lot 6, 7, 8 And 15.03 Phase 2 And Phase 3 (Cox Cro Road And Lakewood Road)

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 166, Lot 6, 7, 8 & 15.03.

WHEREAS, Maintenance Bonds have been posted as follows:

1. Cash Bond in the amount of \$4,980.00 is hereby accepted and will remain on account # X-19- ; -601-842 to represent the Maintenance Cash Bond.
2. Maintenance Surety Bond # 800161936 in the amount of \$44,868.49 is hereby accepted to represent the Maintenance Surety 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 the acceptance of the Maintenance ;Guarantees;
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) Previously posted Surety Bond #76183690 in the amount of \$210,999.60 is hereby released;
- 3) Township Clerk shall send a certified copy hereof to each of the following:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. Riverlake Holdings, LLC

701 Cross Street, Suite 134
Lakewood NJ 08701

- o. **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 Subdivision Known As Block 173 Lot 37 And 40 (Hickory Street)

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Block 173 Lot 37 & 40.
WHEREAS, Maintenance Bonds have been posted as follows:

1. Cash Bond in the amount of \$33,900.00 will remain on account # 4-14- -902-101 to represent the Maintenance Cash Bond;

WHEREAS, the Township Engineer has made an inspection of said Major Subdivision and finds that all improvements have been satisfactorily completed; and ;
WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and the acceptance of the Maintenance ;Guarantees;
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) Previously posted Letter of Credit in the amount of \$305,100.00 in account # X-18- -101-501 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 to each of the following:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. Hickory Homes, LLC

18 Bradshaw Road
Lakewood, NJ 08701

- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Releasing Maintenance Guarantees For A Minor Subdivision Known As Block 794.44, Lot 6.02 (Point Road)

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision, known as Block 794.44, Lot 6.02.

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

1. Cash Bond in the amount of \$840.00 currently on deposit in account

X-19- ;-601-843 is hereby released with applicable interest if any
Township Clerk shall send a certified copy hereof to each of the following:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney

4. Professional Government Associates, LLC

909 Belmont Avenue Suite 2
North Haledon NJ 07508

- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Retention Of The Professional Services Of The Law Firm Of Donald F. Burke, Esq., For Pool General Legal And Litigation Services For Calendar Year 2024, To Be Utilized On An As-Needed Basis

WHEREAS, the Township of Toms River has a need to acquire Pool General Legal and Litigation services, on an as-needed basis, commencing retroactive to April 1, 2024 up to and including December 31, 2024; and

WHEREAS, Donald Burke, Esq., has the necessary needed experience and expertise to provide the Township with the required services for Pool General Legal and Litigation Services; and

WHEREAS, ;the Township Council has determined that it would be in the best interest of the Township to retain the Law Firm of Donald F. Burke, Esq., on an as-needed basis; and

WHEREAS, ;the Law Firm of Donald F. Burke, Esq., 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-20.5 et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq., and the Law Firm of Donald F. Burke, Esq., acknowledges that the contract will prohibit it from making any such contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Toms River authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of:

Law Firm of Donald F. Burke, Esq.
45 Gale Road
Brick, NJ 08723,

for pool general legal and litigation services for 2024, to be used on an as-needed basis, commencing retroactive to April 1, 2024 ;up to and including December 31, 2024, at the rate of \$135.00 per hour, for a total maximum amount not to exceed \$200,000.00 for CY2024, for all legal firms for all legal services required, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

BE IT FURTHER RESOLVED that notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.

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

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) Township Administrator
- d) Chief Financial Officer
- e) Finance Dept., Attn: Denise Wahlers
- f) Township Attorney
- g) Purchasing Dept.
- h) Law Firm of Donald F. Burke, Esq.
45 Gale Road
Brick, NJ 08723

Councilman Nivison asked how many natural resources damages (NRD) cases they have tried.

Mayor Rodrick said these are very rare cases, and needed a good litigator.

Councilman Nivison believes this is a conflict as this firm has been a plaintiff in NRD cases.

Motion: Approve Item Q

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	No
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- r. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Extending The Term Of The Professional Service Contract With Trc Environmental Corp., For Landfill Environmental Consultant Services Through December 31, 2024

WHEREAS, during the 2023 calendar year, the Township Council awarded contracts for services exempt from the public bidding process up to and including December 31, 2023, at the same rates approved in 2023; and

WHEREAS, resolution of the Township Council dated January 1, 2024, extended the term of certain contracts exempt from public bidding to February 29, 2024; and

WHEREAS, there exists a need for the further extension of the contract with TRC Environmental Corp. through December 31, 2024, under the same terms and conditions as the original resolution and extension;

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

1. It hereby approves the extension of the contract with TRC Environmental Corp., for landfill environmental consultant services through December 31, 2024, at the same rates approved in 2023, and under the same terms and conditions as the original resolution dated March 22, 2023 and extension resolution dated January 1, 2024

Technical Assistant \$ 66.00/hour

Field Technician \$ 77.00/hour

Computer Design and Drafting \$ 99.00/hour

Sr. Computer Design and Drafting \$116.00/hour

Hydrogeologist I/Scientist I/Engineer I \$ 83.00/hour

Hydrogeologist II/Scientist II/Engineer II \$ 99.00/hour

Hydrogeologist III/Scientist III/Engineer III \$116.00/hour
Associate Project Manager \$137.00/hour
Project Manager \$154.00/hour
Sr. Project Manager \$176.00/hour
Sr. Scientist/Engineer \$187.00/hour
Project Director \$198.00/hour
Sr. Project Director \$204.00/hour
Principal Consultant \$220.00/hour
Sr. Principal Consultant \$248.00/hour
Sr. Principal Consultant II \$286.00/hour
Equipment: TRC costs + 10%
Office expenses: TRC labor force + 4%

2. The rates of pay will be the same as those awarded during the 2023 calendar year, as listed above.

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

4. The Township Council may award a new contract for the same service prior to December 31, 2024, and automatically terminate the extension described in this resolution.

5. A notice of this action shall be published within 10 days of the date of this resolution, pursuant to law.

6. 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 Engineer
- e) Township Attorney
- f) Chief Financial Officer
- g) Finance Dept., Attn: Denise Wahlers
- h) TRC Environmental Corporation
41 Spring Street, Suite 102
New Providence, NJ 07974
Attn: Peter Grogan, Project Leader
Attn: Daniel A. Nachman
- i) Chiesa, Shahinian & Giantomasi PC
105 Eisenhower Parkway
Roseland, New Jersey 07068
Attn: T. Trautner, Esq.

Motion: Approve Item R

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi

Yes

Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A License Agreement With The County Of Ocean And The Ocean County Utilities Authority For Employee Parking And Storage Of Certain Materials And Equipment On The Licensed Premises, Block 1033, Lot 1

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

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a License Agreement on behalf of Toms River Township with the Ocean County Utilities Authority and the County of Ocean relating to a portion of the Ocean County Utilities Authority premises located on Fielder Avenue, Block 1033, Lot 1, together with the County of Ocean, the purpose of which shall be to allow the Township of Toms River and the County of Ocean to provide employee parking and to store certain materials and equipment on the licensed premises for a period of one (1) year commencing on June 1, 2024 and ending on May 31, 2025. Said agreement provides that no charge shall be incurred by the Township. A copy of the License Agreement is attached to this resolution as Schedule "A" and made a part hereof.

2. 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) Business Administrator
- c) Chief Financial Officer
- d) Township Engineer
- e) Public Works Department
- f) Recreation Department
- g) Lisa Contessa
Executive Assistant Ocean County Utilities Authority
501 Hickory Lane
PO Box "P"
Bayville, NJ 08721-2157

Motion: Approve Item S

Motion Made By: Justin Lamb

Seconded: Lynn O'Toole

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes

Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Business Administrator To Execute An Event Contract With Cliffhanger Productions, Inc., For The 2024 Summer Concert Series, At Shelter Cove Beach Stage For Five (5) Concert Performances, In The Total Amount Not To Exceed \$31,130.00 (A Deposit In The Amount Of \$15,565.00 Is Required Immediately At This Time)

WHEREAS, this year, the Township of Toms River is sponsoring a 2024 Summer Concert Series at the Shelter Cove Beach Stage, 1390 Bay Avenue, Toms River, 08753, from 7:00 p.m. to 9:00 p.m. on the following dates:

Wednesday, June 26, 2024, Rain Date: Monday, July 1, 2024

Wednesday, July 10, 2024, Rain Date: Monday, July 15, 2024

Wednesday, July 24, 2024, Rain Date: Monday, July 29, 2024

Wednesday, August 7, 2024; Rain Date: Monday, August 12, 2024

Wednesday, August 21, 2024; Rain Date: Monday, August 26, 2024

WHEREAS, in order to sponsor the Summer Concert Series, it is necessary to retain Cliffhanger Productions, Inc. to supply entertainment for the concert events; and

WHEREAS, the Township of Toms River desires to retain Cliffhanger Productions, Inc. to supply entertainment; and

WHEREAS, the total maximum amount of this contract shall not exceed \$31,130.00. An immediate deposit at this time is required in the amount of \$15,565.00, and funds are available in Account No. 4-01- -G76-535;

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 retain Cliffhanger Productions, Inc. to supply entertainment for five (5) 2024 Summer Concert Series performances at the Shelter Cove Beach Stage, 1390 Bay Avenue, Toms River, 08753, from 7:00 p.m. to 9:00 p.m. on the following dates:

Wednesday, June 26, 2024, Rain Date: Monday, July 1, 2024

Wednesday, July 10, 2024, Rain Date: Monday, July 15, 2024

Wednesday, July 24, 2024, Rain Date: Monday, July 29, 2024

Wednesday, August 7, 2024; Rain Date: Monday, August 12, 2024

Wednesday, August 21, 2024; Rain Date: Monday, August 26, 2024

2. It hereby authorizes an immediate deposit payment to Cliffhanger Productions, Inc. in the amount of \$15,565.00, and funds are available in Account No. 4-01- -G76-535. The total amount of the contract with Cliffhanger Productions, Inc. is \$31,130.00, contingent upon the availability of funds in the municipal budget. The certification of funds availability statement with respect to this resolution is on file in the Office of the Township Clerk.

3. An Event Contract and fully executed purchase orders shall serve as the necessary contract documentation between the parties hereto.

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) Certified Financial Officer
- c) Purchasing Division
- d) Recreation Department
- e) Cliffhanger Productions, Inc.
161 Park Avenue
Rutherford, NJ 07070

Councilman Quinlisk feels Shelter Cove is not the best location for the concern series. Councilman Ciccozzi asked questions about what kind of music will be played

Motion: Approve Item T

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Township Of Toms River To Accept A Grant From The State Of New Jersey, Department Of Law And Public Safety, Office Of The Attorney General, In The Amount Of \$45,150.00, Under The Fy2024 Safe And Secure Communities Grant Program, Subaward Grant Number 24-1507, And Authorizing Mayor Daniel T. Rodrick And Police Chief Mitchell Little, To Execute And The Township Clerk To Attest To, A Subgrant Award, And Any And All Documents In Connection With This Grant

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 of Toms River is authorized to accept a subaward grant from the State of New Jersey, Department of Law and Public Safety, Office of the Attorney General, in the amount of \$45,150.00, under the Safe and Secure Communities Program, Grant No. 24-1507, with a Match - Fringe Benefits, for a total project cost of \$45,150.00.
2. Mayor Daniel T. Rodrick and Chief Mitchell Little are authorized to execute and the Township Clerk to attest to a Subgrant Award, and any and all documents in connection with this grant.
3. The Township of Toms River is accepting this grant of funds for the purpose

described in the application.

4. Subaward Period: June 26, 2024 to June 25, 2025.

5. 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) Chief Financial Officer
- f) Police Department, Attn: Chief Mitchell Little
- g) Police Department, Attn: Lieutenant Gene Bachonski
- h) Township Grant Coordinator

i) State of New Jersey
Office of the Attorney General
Department of Law and Public Safety
PO Box 080
Trenton, NJ 08625-0080

- v. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Payment To The Law Firm Of Secare & Hensel, Esq. For Professional Services As Hearing Officer For Three (3) Disciplinary Hearings For A Total Maximum Amount Not To Exceed \$7,945.00

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 payment to the law firm of Secare & Hensel, Esqs. for professional services as hearing officer for three (3) disciplinary hearings in the amount of \$7,945.00. Funds in the amount of \$7,945.00 are available in Account No. 4-01- -L21-534. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.

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) Township Attorney
- d) Chief Financial Officer
- e) Finance Dept., Attn: Denise Wahlers
- f) Purchasing Dept.
- g) Secare & Hensel, Esqs.
16 Madison Avenue
Suite 1A
Toms River, NJ 08753

Councilman Quinlisk asked why are we not using in house attorneys for this or someone we already have
Assistant Attorney Peter Pascarella explained this was for a hearing officer

Motion: Approve Item V
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	No
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- w. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To An Agreement Retaining The Law Firm Of Donald F. Burke, Esq., For Special Counsel Services To Handle The Appeal Of The Administrative Settlement Between Njdep And Basf Corp. Relating To The Catastrophic Pollution And Contamination At The Ciba Geigy Superfund Site, Retroactive To May 1, 2024 Through December 31, 2024, In A Total Contract Amount Not To Exceed \$50,000.00

WHEREAS, the Township of Toms River has a need to acquire Special Counsel Services in the matter of Toms River Township et. al vs. NJDEP and BASF Corp. under Docket No. A-405-23 regarding the appeal of the administrative settlement between the NJDEP and BASF Corp. in relation to the catastrophic pollution and contamination at the CIBA Geigy Superfund Site; and

WHEREAS, the above proposals were opened and read on April 30, 2024, and the Township Council has determined that it would be in the best interest of the Township to retain the Law Firm of Donald F. Burke, Esq., for the above stated purposes; and

WHEREAS, the firm of Chiesa, Shahinian and Giantomasi, P.C. has provided high quality legal services to the Township for many years and has represented clients in connection with waste site cleanups and the reallocation of clean-up costs at sites in New Jersey, New York, Pennsylvania, Ohio, Michigan, and other states; and

WHEREAS, Donald Burke, Esq., has the necessary needed experience and expertise to provide the Township with Special Counsel Services in connection with the appeal of the administrative settlement between the NJDEP and BASF Corp. in relation to the catastrophic pollution and contamination at the CIBA Geigy Superfund Site; and

WHEREAS, the Law Firm of Donald F. Burke, Esq., 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-20.5 et. seq., and pursuant to the Township of Toms River Administrative Code, Chapter 84-1 et. seq., and the Law Firm of Donald F. Burke, Esq., acknowledges that the contract will prohibit it from making any such contributions through the term of the contract;

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

1. It hereby authorizes the Mayor to enter into and the Township Clerk to attest to a contract with the firm of the Law Firm of Donald F. Burke, Esq., 45 Gale Road, Brick, NJ, 08723, for Special Counsel Services in connection with the appeal of the administrative settlement between the NJDEP and BASF Corp. in relation to the catastrophic pollution and contamination at the CIBA Geigy Superfund Site, commencing retroactive to May 1, 2024 up to and including December 31, 2024, at the rate of \$175.00 per hour, for a total maximum amount not to exceed \$50,000.00 for CY2024, and funds are available in Account No. 4-01- -L21-534, contingent upon the execution of a contract, the availability of funds, and the adoption of the CY24 budget. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
 2. The certification of funds available statement with respect to this resolution is on file in the Office of the Township Clerk.
 3. The notice of this contract award shall be published within 10 days of the date of this Resolution, pursuant to law.
 4. 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) Township Administrator
 - d) Chief Financial Officer
 - e) Finance Dept., Attn: Denise Wahlers
 - f) Township Attorney
 - g) Purchasing Dept.
 - h) Law Firm of Donald F. Burke, Esq.
45 Gale Road
Brick, NJ 08723
- Motion:** Table Item W
Motion Made By: Thomas Nivison
Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	No
Council Member Lobman	No
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	No
Council President Coleman	No

Motion to table does not carry

Motion: Approvw Item W

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	No
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Business Administrator To Execute A Rental Agreement/Contract With Funflicks Of New Jersey, Outdoor Movies, For The 2024 Summer Movies Series, At Huddy Park, For Six (6) Event Dates, In The Total Amount Not To Exceed \$6,274.66 (A Deposit In The Amount Of \$3,137.36 Is Required Immediately At This Time)

WHEREAS, this year, the Township of Toms River is sponsoring a 2024 Summer Movies Series at Huddy Park, in the Township of Toms River, as follows:

Event ID #: 25530287 – Event Date: Tuesday, July 2, 2024 – 8:45 p.m. – 11:15 p.m.

Event ID #: 26900661 – Event Date: Tuesday, July 16, 2024 – 8:30 p.m. – 11:00 p.m.

Event # ID: 26901057- Event Date: Tuesday, July 30, 2024 - 8:30 p.m. – 11:00 p.m.

Event # ID: 26901135- Event Date: Tuesday, August 6, 2024 – 8:30 p.m. – 11:00 p.m.

Event # 26901213 – Event Date: Tuesday, August 20, 2024 – 8:00 p.m. – 10:30 p.m.

Event # 26901283 – Event Date: Tuesday, September 3, 2024 – 8:00 p.m. – 10:30 p.m.

WHEREAS, in order to sponsor the Summer Movie Series, it is necessary to retain FunFlicks of New Jersey to supply and set up the equipment, etc. for the movies events; and

WHEREAS, the Township of Toms River desires to retain FunFlicks of New Jersey to supply and set up the equipment, etc. for the movies events, and

WHEREAS, the total maximum amount of this contract with FunFlicks of New Jersey shall not exceed \$6,274.66. A deposit at this time is required immediately in the amount of \$3,137.36 and funds are available in Account No. 4-01- -G76-535;

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 retain FunFlicks of New Jersey to supply and set up the equipment, etc. for the movies for six (6) 2024 Summer Movies Series at Huddy Park in the Township of Toms River, as follows:

Event ID #: 25530287 – Event Date: Tuesday, July 2, 2024 – 8:45 p.m. – 11:15 p.m.

Event ID #: 26900661 – Event Date: Tuesday, July 16, 2024 – 8:30 p.m. – 11:00 p.m.

Event # ID: 26901057- Event Date: Tuesday, July 30, 2024 - 8:30 p.m. – 11:00 p.m.

Event # ID: 26901135- Event Date: Tuesday, August 6, 2024 – 8:30 p.m. – 11:00 p.m.

Event # 26901213 – Event Date: Tuesday, August 20, 2024 – 8:00 p.m. – 10:30 p.m.

Event # 26901283 – Event Date: Tuesday, September 3, 2024 – 8:00 p.m. – 10:30 p.m.

2. It hereby authorizes an immediate deposit payment to FunFlicks of New Jersey in the amount of \$3,137.36, and funds are available in Account No. 4-01- -G76-535. The total amount of the contract with FunFlicks of New Jersey is \$6,274.66, contingent upon the availability of funds in the municipal budget. The certification of funds availability statement with respect to this resolution is on file in the Office of the Township Clerk.

3. A Rental Agreement/Contract and fully executed purchase orders shall serve as the necessary contract documentation between the parties hereto.

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) Certified Financial Officer
- c) Purchasing Division
- d) Recreation Department
- e) Fun Flicks of New Jersey
1350 Wiley Oak Dr.
Jarrettsville, MD 21084

Motion: Approve Item X

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Reports

11.	Building Department	2024	2023
	Building Permits - April	\$162,726.00	\$330,694.00
	Building Permits - YTD through April	\$1,203,607.00	\$1,331,277.00
	Recreation Department	2024	2023
	Bey Lea Golf Course- April	\$203,229.65	\$204,126.48
	Bey Lea Golf Course- YTD through April	\$446,471.50	\$397,095.40
	Winding River Ice Rink- April	\$79,212.00	\$76,130.50
	Winding River Ice Rink- YTD through April	\$498,804.97	\$477,344.54

Motion: Approve Reports
Motion Made By: George Lobman
Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

12. Approval of Bills

The Township Clerk asked for the Approval of the Bills

Motion: Approve Bill List
Motion Made By: George Lobman
Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

The following abstentions were made:

Councilman Lamb abstained from:

Purchase Order 24-02804 in the amount of \$1,278.44 payable to Borough of Lavallette

Purchase Order 24-02811 in the amount of \$6,619.23 payable to Magistrate Salaries

Purchase Order 24-02534, 24-02639 in the amount of 21,241.50 payable to Dasti, McGuckin

Councilman Quinlisk abstained from:

Purchase Orders 24-00396, 24-02162 in the amountof \$2,300.00 payable to TEC Elevator

Purchase Order 23-06006 in the amount of \$3,225.00 payable to Yezzi Assoc.

Purchase Order 24-02054 in the amount of \$1,635.00 payable to Remington & Vernick

Council-President Coleman abstained from:

Purchase Order 24-01974 in the amount of 24-01974 payable to Preferred Behavior Health

Elected Official's Comments

Councilman Ciccozzi asked to add Council Meeting videos be posted to the Township website

Motion: Add Council Meeting videos to Township website

Motion Made By: David Ciccozzi

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes

Council Member Lobman	Abstain
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Abstain
Council President Coleman	Yes

Councilman Quinlisk suggested moving to two meetings a month. Attorney McGuckin suggested Councilman request a resolution to be voted on at the next meeting.

Councilman Lamb- Thanked Township Engineer Mark Rohmeyer for road elevation projects in town.

Councilman Quinlisk- Encouraged all to familiarize themselves with the Township budget

Councilman Lobman- No comment

Councilman Nivison- Thanked all for coming to meetings

Councilman Ciccozzi- Commended Councilman Nivison. Spoke about budget. Thanked Toms River teachers. Ocean First bank scholarship fund.

Council Vice-President O'Toole- No comment

Council President Coleman- Understands frustrations on both sides

Public Comments

Carlos Almizar-, Winteringham, Toms River- Asked why everyone is fighting if all members of Council are Republican

Debbie Curci, Bartine St. Toms River- Three members of the Council work for the people while the others rubber stamp what Mayor wants. Council works of us.

Dana Tormollan, Messenger St, Toms River- Property has been devalued since Code Enforcement has been done away with. Says Councilwoman O'Toole has to give respect to get respect. Thanked Councilman Nivison.

Liz Dorick, Pheasant Lane, Toms River- Never had to worry about how the County ran their shelter because Toms River had their own. Spoke on comments made by Business Administrator at County Board of Health meeting.

Vicki Weis, Mathis House, Toms River- Has been trying to open bed and breakfast for one year. Attorney had sent letter to Council requesting to be allowed to run AirBNB.

Julie Adamek, Cedar Grove Road, Toms River- Has never seen a meeting so ridiculous. Council President should have control of meetings. Township Attorney needs to address comments made by Mayor.

Maurice Hill, 300 Woodview Ct, Toms River- Former mayor of Toms River, would like to clear the record. There was no 3 million dollar deficit, spoke on parking garage, change of use application. Spoke on animal shelter and agendas.

Phil Brilliant, 79 Holly Tree Lane, Toms River- Asks about consent agenda. Was appointment of Burke a conflict? Concerns about concerts at Shelter Cove.

Irene Watson, Messenger Street, Toms River- attended Ocean County Health Department meeting. Asked if guidelines would be the same as they were at Toms River Shelter and about million dollar donation. Said some signs were misleading to get people to sign petition,

Robert Burns, 531 Lillie Road, Toms River- Asked for Councilmembers to review all information they vote on. Suggested bribing in intern veterinarians to work at shelter.

Janet Laing, 37 Cedar Drive, Toms River- Thanked Council President for sticking up for her. Business Administrator leaving meeting with Mayor shows he is serving just the Mayor.

Bob Jhenke, 979 Alexandria, Toms River- Asked where stage will be in Shelter Cove or is the money budgeted to build a stage.

Phil Brilliant, 79 Holly Tree Lane, Toms River- NRD is not remediation, it is restoration. Should have a more experienced firm in NRD matters.

Brian, B2 Consulting Group, Manalapan- An expert of animal shelter management, Spoke on options Council has regarding Animal Shelter.

Julie Adamek, Cedar Grove Rd., Toms River- clarified what sign said when collecting signs for petition. Suggested cutting microphones. Toms River Bulletin is waste of money and propaganda and lies.

Ashley Lamb, Buernann Ave, Toms River- Would like to see more people attend school board meetings. State could raise taxes, school board has no option but to raise taxes.

Paul Jeffries, 1661 Bay Blvd, Ortley Beach- Asks Council President to restore civility in meetings. Asked about procedure for Consent Agenda. Would like to speak on consent agendas prior to a vote. Why are there no beach badge sales on the reports.

Brian, B2 Consulting Group, Manalapan- Shelter can be profitable and prosperous. Spoke about animal trust account which is statutorily required.

Robert Burns, 531 Lillie Road, Toms River- exemption clause should be provided to litigate on Ciba case.

Tom Fredella, Jacklyn Court, Toms River- Township needs to be more fiscally responsible. Township employees and small business owners feared to sign petition because of retaliation.

Motion: Close Public Comment
Motion Made By: Lynn O'Toole
Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Executive Session

There was no need for executive session.

No other business appearing, the meeting was **adjourned** at 9:52pm

Motion: Adjourn Meeting
Motion Made By: Justin Lamb
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

EXHIBIT N

Ordinance



by Daniel Nee June 4, 2024



Toms River Animal Shelter (Source: Toms River Township)

Toms River Township will be precluded from executing a lease with the Ocean Co Health Department to take over the township's municipal animal shelter, notwithstanding any challenges to a recall petition that successfully garnered en signatures to stop an ordinance authorizing the takeover.

The controversial ordinance passed in a 4-3 vote last month, leading to a near-in effort by a group of residents to recall the ordinance within the 20-day period av, under state law. Ocean County Health Department officials said they would



Rodrick has held that the shelter has been poorly managed, with limited hours of the public and infrastructure issues that have affected the welfare of the animals there. Opponents have defended the employees and volunteers who run the shelter, claiming that the municipal shelter has a lower euthanization rate than the county shelters in Stafford and Jackson townships. Rodrick, citing a different set of statistics, claimed the opposite.

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Regardless, the petition to recall the ordinance was certified just before the week of the election. Township Clerk Michael C. Cruoglio, who said the recall committee collected more than 3,079 signatures of registered voters required to effectuate the policy. As a result, the council will have the option of repealing the ordinance at its next meeting or putting it on the ballot in November for a referendum vote.

In a letter to the governing body as well as the recall committee, Cruoglio said over 100 pages of signatures were submitted to his office, each of which was examined against voter records and determined to be valid.

Historically, Toms River budgets about \$1 million per year to run the shelter – an amount that was not included in this year’s operating budget.

“I didn’t budget for it,” Rodrick said previously. “We don’t have the money, and I’m not raising taxes for everyone in town when they’re doing a bad job and the county works for free. They have advertisements on the radio, television, internet. What do we do? People who lock the door.”



At a recent meeting of the township council, an employee at the shelter challeng mayor’s assertions, defending the shelter’s management and saying it achieved status by saving more than 90 percent of the animals placed there in recent year
Toms River’s next council meeting is scheduled for June 26 unless a special meet added to the calendar and legally advertised.



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AROUND THE WEB

Scientists: Brain Scan Uncovers the Real Root Cause of Tinnitus (Ear Ringing)

by ZenCortex

New Jersey Audiologist: "This Is The Best Hearing Aid In The US"

by hear.com

Why Are People Who S Long Time Rushing to f Cushion?

by Hilipert



TOWNSHIP OF TOMS RIVER

P.O. Box 728
Toms River, NJ 08754



Telephone: (732) 341-1000
Fax Number: (732) 341-3586

May 31, 2024

Members of Council and Committee of the Petitioners,

On May 14, 2024, I was presented a petition pursuant to N.J.S.A. 40:69A-185, to protest against the passage of an ordinance titled "Ordinance Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement Between The Township Of Toms River And The Ocean County Board Of Health Authorizing The Leasing Of Certain Municipal Property Pursuant To N.J.S.A. 40a:12-14(B)"

As the Municipal Clerk of the Township of Toms River, I have the responsibility for the examination and certification of this petition pursuant to N.J.S.A 40:69A-187. I am to determine whether the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of qualified voters.

The petition must contain at least 15% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected. The last such election took place in November 2023, and according to data obtained from the Ocean County Board of Elections, there were a total of 20,523 votes cast. Therefore, the petition required a minimum of 3,079 valid signatures.

I have reviewed each of the signatures presented to me, spanning over 450 pages. Using the New Jersey Voter Registration System to verify each of the signatures and ensure all who signed are registered to vote in Toms River Township, I can confidently certify that more than 3,079 registered voters have signed the petition.

I will present my findings to the Toms River Township Council at the June 26, 2024 regular Council Meeting. The Council will have 20 days from then to take action to repeal this ordinance, or it will be submitted to appear on a ballot as a question for the voters at a future election.

Sincerely,

Michael C. Cruoglio, RMC
Toms River Township Municipal Clerk

EXHIBIT O

Politics & Government

Toms River Lays Off Shelter Staff, Preps To Turn It Over To Ocean County

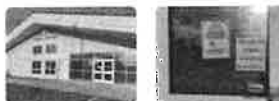
Mayor Dan Rodrick says the town is pursuing another path to give its shelter to Ocean County after a petition to halt a lease was certified.

 Karen Wall, Patch Staff

Posted Thu, Jun 6, 2024 at 11:29 pm ET Updated Thu, Jun 6, 2024 at 11:58 pm ET



Toms River Township will no longer operate its animal shelter, according to a layoff notice to shelter employees. Mayor Dan Rodrick says he will give it to Ocean County, one way or another. (Karen Wall/Patch)



TOMS RIVER, NJ — The staff of the Toms River Animal Shelter was notified Thursday that it is being laid off and animals at the shelter are to be transferred to Ocean County, Patch has learned.

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Mayor Daniel Rodrick says the town is moving forward with transferring the shelter to the Ocean County Board of Health through another avenue, in spite of the recently certified recall of the town's ordinance approving entering into a lease with the county.

In addition to the layoff notification, the shelter is no longer accepting animals and is not accepting donations, said Dawn Nivison, wife of Toms River Councilman Tom Nivison, who volunteers at the shelter.

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"I knew something was up when I saw the sign on the door that they were no longer accepting donations," she said.

Dawn Nivison was present when Toms River business administrator Jonathan Salonis, assistant township attorney Peter Pascarella and Drew Chabot, who is in charge of the shelter, arrived shortly after 4 p.m. to notify the employees about the impending layoffs. Nivison said the three men were accompanied by a woman she did not know but assumed was the township's human resources person.

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The animals that are in the shelter right now — six dogs and 28 cats and kittens — will be moved to the Northern Ocean County Animal Facility on Friday, Dawn Nivison said, with that task falling to the only person who was not laid off Thursday, animal control officer and shelter manager David Matthews.

A copy of the layoff letter, which was provided to Patch, shows the employees have been put on administrative leave with pay for 45 days. The township administration will be meeting with the union that represents the employees, Toms River Professionals Association AFSCME Local 3168 "to explore all possible avenues to limit or avoid the need for these layoffs."

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After the 45-day administrative leave the layoffs will become effective, the letter said

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The layoff notification comes days after a recall petition was certified by the township clerk's office as having enough signatures to force the council to rescind the ordinance it passed April 24 to allow the township to lease the shelter to Ocean County. Township clerk Michael Cruoglio wrote the petition, which had more than 450 pages, had met the 3,079-signature minimum and he would be presenting his findings to the council at the June 26 meeting.

The Ocean County Board of Health approved a resolution May 8 to negotiate a lease for the shelter with Toms River, but it was not clear how far those negotiations had progressed. [Read more: 'Toms River Told Us They Were Closing The \(Animal\) Shelter,' Singer Says](#)

Daniel Regenye, the public health coordinator for the county health department, on Thursday night said the county had been waiting for a reply from Toms River, but he did not give details.

Rodrick, in a phone conversation Thursday evening with Salonis and Pascarella listening by speakerphone, said the recall was specific to the town leasing the shelter, and that he was pursuing a different path to give the shelter to Ocean County.

"I don't need a lease to give the shelter to the county," Rodrick said. "It's a done deal." He did not provide details.

Rodrick said the layoffs happened Thursday because the county will need time to make changes to the building. At the Board of Health meeting, officials said the county would add dog runs to the building.

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He insisted giving the shelter to the county will eliminate \$1 million in annual

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Act request that showed expenditures of \$518,000 in 2023 are not accurate and do not capture the full cost. He said health benefit costs for the four full-time employees push the total expenditures much higher.

Rodrick said the Pyne donation — which was more than \$1 million when the stock was sold and some of which was used to fund shelter operations in 2023 — would be used to pay for the building updates to the shelter that the county discussed.

He also insisted the opposition to transferring the shelter to the county was just a political ploy from people aligned with former mayor Maurice Hill, in spite of opposition from Tom Nivison, who was on Rodrick's council slate last November. The split over the animal shelter has led to a schism between Rodrick and Nivison that turned into a shouting match at the May 22 council meeting. Read more: 'You're A Sellout': Rift Widens Between Toms River Mayor, Councilman

"The people spoke, and they spoke again on Tuesday," Rodrick said, referring to the victory by William Byrne in the race for the remaining year of Rodrick's former Ward 2 council seat. Unofficial totals show Byrne received 1,419 votes out of 8,475 registered Republicans in Ward 2, or 16.7 percent of the registered voters. Former councilman Kevin Geoghegan received 930 votes out of 8,475 registered Republicans, 10.9 percent.

Dawn Nivison said she was upset the employees weren't given two weeks' notice, said she is concerned about the animals that are being moved to the county shelter on Friday.

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Among them is Penny, a black-and-white female cat who has proven to be a

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doesn't get along with other cats.

"She hangs out in the lobby," Nivison said, and gets extra attention as the shelter staff has tried to work with her.

"The people there are very caring," Nivison said. "They are very easygoing with the animals."

She fears Penny will not find the same patient care when she's moved to the county shelter, and that her cranky attitude combined with being a black cat — which are frequently more difficult to place — will lead to her being euthanized.

Nivison said she doesn't understand why Rodrick won't put the shelter matter to a vote of the entire township. One of the options for the town's response to the successful recall petition is to pose it as a question to township voters.

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"You know people want it open," she said. "Put it to a vote so the people could decide if they want to pay a dollar or two more (in property taxes) for the shelter."

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EXHIBIT P

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WASHINGTON STREET

DOWNTOWN NIGHT OUT
EVERY FRIDAY & SATURDAY
5/31 - 10/12 - 5PM - 10PM
WASHINGTON STREET

FARMERS' MARKET
EVERY WEDNESDAY
6/12 - 10/2 - 11AM - 4PM
55 WASHINGTON STREET

CRUISIN' DOWNTOWN
6/12, 7/13, 8/14 - 6PM - 9PM
WASHINGTON STREET

TR PRIDE*
6/15 - 11AM - 5PM
WASHINGTON STREET
*PRODUCED BY TR PRIDE COMMITTEE

SUMMER IN THE STREET
7/20 - 2PM - 8PM
WASHINGTON STREET

COMFORT FOOD FESTIVAL
9/21 - 12PM - 6PM
WASHINGTON STREET

SCARECROW WALK
10/11 - 10/31
WASHINGTON STREET

HARVEST ARTS FESTIVAL
10/19 - 11AM - 5PM
WASHINGTON STREET

SMALL BUSINESS SATURDAY
11/30
DISTRICT WIDE

WREATH WALK
11/29 - 12/31
WASHINGTON STREET

TREE LIGHTING
12/6 - 5PM - 7PM
WASHINGTON STREET

WINTER WONDERLAND
12/7 - 11AM - 5PM
WASHINGTON STREET



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Toms River Animal Shelter Closes Abruptly

By **Chris Lundy** - June 11, 2024



This cat was recently at the animal shelter in Toms River before it was abruptly closed. (Photo by Chris Lundy)

TOMS RIVER – The Toms River Animal Shelter has temporarily closed, meanwhile a deal is being worked out to transfer its operations to the county.

For months, the shelter has been a controversial topic. In January, staff were forbidden from accepting new animals. Additionally, the hours of operation were expanded and the adoption fees were dropped. Mayor Daniel Rodrick said at the time that the shelter would not be closing, and that the reason for these changes was to speed up the adoption of animals that were currently in the facility. Eventually, the facility started taking animals back.

The town reached out to the county to take control of the shelter. The Toms River Council and the Ocean County Health Department both agreed to start negotiations.

ADVERTISING

On June 6, the shelter was again closed to any new animals. All employees except one were put on administrative leave. The remaining one will be doing animal control for the town – which means responding to calls for stray dogs and other situations.

Just like in January, the public was not notified of the decision to stop accepting animals. Shelter advocates feared that people would still leave animals in cages or boxes outside the building, subjecting the animals to harm.



Some residents are working to keep the Toms River Animal Shelter under local control. (Photo by Bob Vosseller)

Rodrck has repeatedly said that the shelter was poorly run. Shelter supporters have repeatedly said that his claims were unsubstantiated and that things have changed with new management more recently.

"As I have stated numerous times before, the shelter was poorly run and not well equipped. It has always been the plan to go to the county. Toms River's mismanagement

of the shelter was a disservice to the animals and the taxpayers. The county is taking it over free of charge and we will be using the trust monies to upgrade the shelter," he said.

The trust money he is referring to is \$1 million that was left in a will to the shelter. There was much debate about what would happen to this money if the shelter changed hands.

Rodrick said he's been in contact with members of the County Board of Health and they still want to move forward. The agreement doesn't have to be in the form of a lease.

"The fact is the facility does not meet the Board of Health's standards and must be shut temporarily for construction upgrades," Rodrick said. "The glass cages are poorly ventilated. Currently dogs only get 30 minutes a day out of their cage, for exercise. That is because the facility doesn't have dog runs. Dog runs are back doors with pathways to the outside. Once the facility has dog runs, kennel aids will be able to actuate the doors to let the animals out without entering the cage. This will increase the frequency that dogs will be let out, ensuring that the animals get proper exercise. As you can imagine, this is also very important with aggressive dogs. So it's for the safety of staff as well. The county is also going to bring in a vet, which we do not have. So we will be upgrading the facility for that as well."

What Happens To Animals?

In the wake of the June 6 decision to close the doors, animal shelter workers put out emergency calls to other shelters and rescue agencies to adopt.

"The remaining animals that were at Toms River were brought to the Jackson facility on Friday (June 7) and moving forward will be housed at one of the two county shelters," said Brian Lippai, public information officer for the Ocean County Health Department which oversees the shelters. "We would also like to encourage anyone that may be adopting a pet to please consider visiting our two facilities in Manahawkin and (Jackson). We have so many adorable kittens ready and available for adoption not to mention wonderful cats and dogs."





The Board of Health heard residents concerns about the Toms River Animal Shelter. (Photo by Chris Lundy)

What Happens To The Building?

Toms River and the Ocean County Health Department are still in talks for the county to take the building over.

Petitions were signed by residents to recall the resolution that had the town enter into discussion. A resolution is a legal statement passed by the Township Council that orders something to happen or allows an action to take place. If it gets recalled, it means that the resolution would go back to the council. The council would then have to either repeal the resolution or put it to voters in November.

The petition needed a certain number of signatures for this to happen. It has not been publicly announced whether this was successful.

Rodrick's move to close the doors and put the staff on leave was done administratively, without the Township Council. This is similar to a previous recall petition. Petitioners wanted to recall a cut in police positions. The petition was certified as having enough signatures. So, Council repealed the change, but then Rodrick made the changes administratively to negate the actions of the petitioners.

"As for operation of the Toms River shelter, the (county health department) will need to evaluate their facility to determine what it will need to bring it closer to the county standard and what the ideal conditions may be to continue to provide efficient care and comfort for the animals," Lippai said. "One example is that there is a need for outdoor runs for dogs at Toms River and that is certainly something that would be addressed."

There's no set timetable on these improvements, he said. The other two shelters, in Jackson and Manahawkin, can handle the additional volume why construction takes place.





Volunteers sought signatures to recall the resolution that would hand the Toms River Animal Shelter over to the county. (Photo by Bob Vosseller)

What Happens To Workers?

The employees will be receiving 45 days of pay and benefits, so it is unclear if there is any economic benefit to them being put on leave.

"As for staffing, we have already hired one former employee of the Toms River shelter and would certainly encourage any others to apply for a position with us," Lippai said.

The town will still be responsible for animal control, he said. "The Ocean County Health Department acts only as temporary housing for the cats and dogs," he said.



Chris Lundy

Chris Lundy is News Editor at Micromedia Publications/Jersey Shore Online. He has covered Ocean County news and features in various publications since 2003. Lundy worked for Gannett with articles in The Beacon, Observer and Asbury Park Press. He's also written for the Community Connection, Patch and ShoreBeat.



R024682-061124 - Township - Open Public Records Request

Message History (3)

✉ On 6/12/2024 10:32:09 AM, Toms River NJ OPRA Support wrote:

Subject: [Records Center] Township - Open Public Records Request :: R024682-061124

Body:



Dear Philip Brilliant,

RE: PUBLIC RECORDS REQUEST of June 11, 2024, Reference # R024682-061124

Dear Philip Brilliant,

The Toms River Township received a public information request from you on June 11, 2024. Your request mentioned:

“Please provide a copies of all Board of Health, State, local and county violations for the Toms River Animal Shelter from January 1, 2022 to present day. Thanks!”

This email is to notify you that your request was no such records exist. Your request has been closed.

If you have any questions, please contact my office at 732-341-1000 ext 8200.

Going forward, if you are seeking permits on a property, feel free to use our free SDL portal by visiting the link [here](#).

Simply create an account and search for any Toms River address.

Sincerely,

Toms River Township Clerks Office

To view the full details of this request please log into the [\[NAMESYSTEM\]](#)

This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY

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☑ On 6/11/2024 10:14:39 AM, Toms River NJ OPRA Support wrote:



Dear Philip Brilliant:

Thank you for your interest in public records of Toms River Township. Your request has been received and is being processed in accordance with the New Jersey Open Public Records Act (OPRA). Your request was received in this office on 6/11/2024 and given the reference number R024682-061124 for tracking purposes.

Records Requested: Please provide a copies of all Board of Health, State, local and county violations for the Toms River Animal Shelter from January 1, 2022 to present day. Thanks!

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request. You will be contacted about the availability and/or provided with copies of the records in question. PLEASE NOTE: The State Public Information Act does not require a governmental body to create new information, to do legal research, or to answer questions.

You can monitor the progress of your request at the link below and you'll receive an email when your request has been completed. Again, thank you for using the Open Public Records Center.

Toms River Township

To monitor the progress or update this request please log into the [Open Public Records Center](#)



☑ On 6/11/2024 10:14:38 AM, Philip Brilliant wrote:

Request Created on Public Portal

By decree of Mayor Daniel T. Rodrick

TOMS RIVER ANIMAL
SHELTER IS CLOSED!

Until this is corrected...

Please **DO NOT** leave animals
or donations at the door.

ANIMAL DROP-OFFS: Please call
732.349.0150 ext 0 to arrange pickup.

DONATIONS: Please contact a local Rescue.
(There are some rescues right here in town.)

Complaints: Contact Mayor Rodrick at
drodrick@tomsvivertownship.com.

This shelter didnt fail. RODRICK FAILED!

EXHIBIT Q



2023 RIVER ANNUAL
SHELTER IS CLOSED
Please call 648-6777 for more information
or visit our website at www.river.org

Animal Shelter **CLOSED**



for



Construction

Please drop any animals at the
Jackson Animal Shelter or
Stafford Animal Shelter

Please do not leave any donations here
at this shelter.

Thank you!

Record List - Total:109

Incident	Nature	Area	Agency	Reported	Disposition	Complainant
24-35806	Animal Call	L51	TRPD	07:45:30 06/26/24	SC	
24-35750	Animal Call	L7	TRPD	20:40:06 06/25/24	SC	
24-35734	Animal Call	L22	TRPD	19:13:06 06/25/24	SC	
24-35723	Animal Call	L42	TRPD	18:58:50 06/25/24	SC	
24-35653	Animal Call	L82	TRPD	13:26:34 06/25/24	SC	
24-35649	Animal Call	L42	TRPD	13:11:40 06/25/24	SC	
24-35601	Animal Call	L7	TRPD	08:44:39 06/25/24	SC	
24-35551	Animal Call	L42	TRPD	22:37:46 06/24/24	SC	
24-35530	Animal Call	L7	TRPD	20:37:07 06/24/24	SC	
24-35490	Animal Call	L91	TRPD	18:30:48 06/24/24	SC	SC
24-35480	Animal Call	L61	TRPD	18:00:52 06/24/24	SC	Service Complete
24-35477	Animal Call	L32	TRPD	17:42:12 06/24/24	SC	
24-35465	Animal Call	L82	TRPD	17:18:04 06/24/24	SC	
24-35378	Animal Call	L92	TRPD	10:36:16 06/24/24	SC	
24-35374	Animal Call	L82	TRPD	09:50:20 06/24/24	SC	
24-35356	Animal Call	L7	TRPD	08:49:13 06/24/24	SC	CAC
24-35339	Animal Call	L82	TRPD	07:19:29 06/24/24	SC	Complaints adult
24-35288	Animal Call	L92	TRPD	22:09:40 06/23/24	SC	Clear
24-35233	Animal Call	L62	TRPD	16:34:38 06/23/24	SC	
24-35221	Animal Call	L7	TRPD	13:55:07 06/23/24	SC	
24-35015	Animal Call	L7	TRPD	15:55:15 06/22/24	SC	
24-34973	Animal Call	L91	TRPD	12:42:03 06/22/24	SC	
24-34935	Animal Call	L61	TRPD	10:11:10 06/22/24	SC	
24-34933	Animal Call	L41	TRPD	10:02:49 06/22/24	SC	
24-34831	Animal Call	L81	TRPD	21:35:41 06/21/24	SC	EJV - clear juvenile
24-34811	Animal Call	L22	TRPD	18:58:41 06/21/24	SC	victim uncooperative
24-34794	Animal Call	L92	TRPD	17:32:42 06/21/24	SC	
24-34711	Animal Call	L82	TRPD	11:11:37 06/21/24	SC	
24-34672	Animal Call	L82	TRPD	08:21:34 06/21/24	SC	
24-34666	Animal Call	L12	TRPD	08:17:03 06/21/24	SC	ACT = Active
24-34584	Animal Call	L61	TRPD	20:00:57 06/20/24	SC	
24-34575	Animal Call	L7	TRPD	19:51:42 06/20/24	SC	
24-34565	Animal Call	L91	TRPD	19:08:14 06/20/24	SC	
24-34498	Animal Call	L21	TRPD	14:13:52 06/20/24	SC	
24-34481	Animal Call	L21	TRPD	13:18:58 06/20/24	SC	
24-34472	Animal Call	L41	TRPD	10:59:05 06/20/24	SC	
24-34425	Animal Call	L81	TRPD	07:25:01 06/20/24	SC	
24-34373	Animal Call	L81	TRPD	20:09:50 06/19/24	SC	
24-34368	Animal Call	L81	TRPD	19:42:23 06/19/24	CAC	
24-34352	Animal Call	L31	TRPD	18:44:49 06/19/24	SC	
24-34310	Animal Call	L21	TRPD	14:49:37 06/19/24	SC	
24-34286	Animal Call	L7	TRPD	12:30:16 06/19/24	SC	
24-34270	Animal Call	L41	TRPD	11:34:00 06/19/24	SC	
24-34253	Animal Call	L32	TRPD	09:35:54 06/19/24	SC	
24-34199	Animal Call	L82	TRPD	23:52:07 06/18/24	SC	
24-34195	Animal Call	L61	TRPD	23:37:22 06/18/24	SC	
24-34138	Animal Call	L91	TRPD	19:10:54 06/18/24	SC	
24-34132	Animal Call	L21	TRPD	18:40:08 06/18/24	SC	
24-34103	Animal Call	L11	TRPD	15:59:16 06/18/24	SC	
24-34088	Animal Call	L11	TRPD	15:03:23 06/18/24	SC	
24-34062	Animal Call	L12	TRPD	11:28:33 06/18/24	SC	
24-34051	Animal Call	L41	TRPD	10:34:39 06/18/24	SC	
24-34030	Animal Call	L62	TRPD	07:52:18 06/18/24	SC	
24-33980	Animal Call	L22	TRPD	22:18:46 06/17/24	SC	
24-33969	Animal Call	L22	TRPD	21:21:45 06/17/24	SC	
24-33928	Animal Call	L61	TRPD	18:05:17 06/17/24	SC	
24-33903	Animal Call	L21	TRPD	16:17:51 06/17/24	SC	

24-33904	Animal Call	L61	TRPD	15:57:03 06/17/24	SC
24-33739	Animal Call	L42	TRPD	19:47:09 06/16/24	ACT
24-33677	Animal Call	L22	TRPD	14:37:35 06/16/24	SC
24-33673	Animal Call	L91	TRPD	14:12:24 06/16/24	SC
24-33639	Animal Call	L52	TRPD	08:59:06 06/16/24	SC
24-33536	Animal Call	L92	TRPD	21:11:24 06/15/24	SC
24-33531	Animal Call	L82	TRPD	20:46:14 06/15/24	SC
24-33503	Animal Call	L12	TRPD	18:22:10 06/15/24	SC
24-33497	Animal Call	L42	TRPD	18:04:23 06/15/24	
24-33496	Animal Call	L41	TRPD	18:01:42 06/15/24	SC
24-33483	Animal Call	L7	TRPD	16:23:42 06/15/24	SC
24-33484	Animal Call	L12	TRPD	15:53:12 06/15/24	SC
24-33438	Animal Call	L81	TRPD	11:36:37 06/15/24	SC
24-33346	Animal Call	L81	TRPD	23:07:07 06/14/24	SC
24-33320	Animal Call	L51	TRPD	21:40:54 06/14/24	SC
24-33307	Animal Call	L7	TRPD	20:42:09 06/14/24	SC
24-33286	Animal Call	L22	TRPD	19:17:15 06/14/24	SC
24-33233	Animal Call	L52	TRPD	15:44:04 06/14/24	SC
24-33222	Animal Call	L92	TRPD	15:24:14 06/14/24	SC
24-33184	Animal Call	L61	TRPD	12:48:13 06/14/24	
24-33170	Animal Call	L61	TRPD	12:06:16 06/14/24	
24-33154	Animal Call	L11	TRPD	10:47:45 06/14/24	
24-33073	Animal Call	L7	TRPD	21:14:55 06/13/24	
24-33059	Animal Call	L51	TRPD	19:48:26 06/13/24	SC
24-32978	Animal Call	L22	TRPD	14:27:43 06/13/24	SC
24-32732	Animal Call	L32	TRPD	11:08:59 06/12/24	
24-32672	Animal Call	L12	TRPD	02:53:22 06/12/24	SC
24-32602	Animal Call	L81	TRPD	18:40:34 06/11/24	SC
24-32567	Animal Call	L92	TRPD	15:55:39 06/11/24	
24-32543	Animal Call	L32	TRPD	14:18:10 06/11/24	SC
24-32419	Animal Call	L61	TRPD	22:46:49 06/10/24	SC
24-32341	Animal Call	L22	TRPD	16:56:31 06/10/24	SC
24-32249	Animal Call	L21	TRPD	07:27:35 06/10/24	
24-32164	Animal Call	L7	TRPD	18:12:45 06/09/24	SC
24-32161	Animal Call	L51	TRPD	17:53:47 06/09/24	SC
24-32109	Animal Call	L81	TRPD	12:55:25 06/09/24	SC
24-32071	Animal Call	L42	TRPD	09:54:10 06/09/24	EJV
24-32066	Animal Call	L21	TRPD	09:24:47 06/09/24	
24-32062	Animal Call	L7	TRPD	09:18:18 06/09/24	SC
24-32064	Animal Call	L32	TRPD	09:16:47 06/09/24	
24-31936	Animal Call	L11	TRPD	18:19:14 06/08/24	
24-31905	Animal Call	L82	TRPD	14:50:19 06/08/24	SC
24-31889	Animal Call	L21	TRPD	13:22:54 06/08/24	SC
24-31846	Animal Call	L7	TRPD	10:34:41 06/08/24	SC
24-31740	Animal Call	L32	TRPD	19:13:26 06/07/24	SC
24-31738	Animal Call	L81	TRPD	19:03:29 06/07/24	SC
24-31646	Animal Call	L91	TRPD	13:32:49 06/07/24	SC
24-31617	Animal Call	L42	TRPD	11:45:22 06/07/24	SC
24-31491	Animal Call	L81	TRPD	19:33:07 06/06/24	
24-31411	Animal Call	L32	TRPD	13:22:50 06/06/24	
24-31363	Animal Call	L61	TRPD	08:08:01 06/06/24	
24-31362	Animal Call	L32	TRPD	07:03:52 06/06/24	SC

109 Cases

EXHIBIT R

Dear Toms River Council,

YOU HAVE THE POWER!!! YOU HAVE THE POWER!!!

"We need elected officials who care more about policy than politics."
– Former Governor Christine Todd Whitmann

Now is the time that we the people of Toms River need each of you to represent and protect us, by stepping forward and basically **doing the right thing**. On June 6, 2024, Mayor Daniel Rodrick, without authorization of the Toms River Council, closed the Toms River Animal Shelter, laid off all of the employees except one (1) Animal Control Officer and on Friday, June 7th, removed all of the animals in the shelter and locked the doors. The argument will be made by the Mayor and maybe others, that he acted within his authority as Mayor, but without a plan to handle animal control in Toms River and bypassing the authority of the Council, he has disregarded and disrespected each and every one of you... **you deserve better!**

On Wednesday, June 26th, during the Toms River Council meeting, Township Clerk Michael Cruoglio, will present his findings and certify that more than 3,079 registered voters of Toms River Township have signed a petition to protest the Council passage of an ordinance titled "Ordinance of the Township of Toms River, County of Ocean, State of New Jersey, Authorizing the Mayor to Execute and The Township Clerk to Attest to a Lease Agreement Between the Township of Toms River and the Ocean County Board of Health Authorizing the Leasing of Certain Municipal Property (Toms River Animal Shelter) pursuant to NJSA 40a:12-14(B)." Following this report the Council will have 20 days to take action to repeal this ordinance, modify or submit to appear on a ballot as a question for voters at a future election. I assure you, Mayor Rodrick is going to recommend and urge you, as he has reported to the press, to repeal the ordinance because he believes he doesn't need it to close the Toms River Animal Shelter or transfer the responsibly to Ocean County. **I promise you, he is wrong!**

When he directed the closure of the Toms River Animal Shelter and without posting any signage, he not only endangered the welfare of animals and residents in need of assistance throughout the town, he did it in a manner with no plan in place. It was not until cats were left in a box on Sunday, June 16th, that signs were placed on the building, mischaracterizing the closure as "**Closed for Construction**" when you, the Council of Toms River, has not approved a contract for any construction on the Toms River Animal Shelter and on the contrary, are obligated by law to stay any decisions on the Ordinance above until the petition is addressed. The Mayor cannot unilaterally decide on a design, without an engineer or architect; cannot direct construction, without a bid package award; and the Mayor cannot do any of these requirements for construction without Toms River Council Approval. **Stand up for yourselves and demand to be respected!**

The endangerment of the animals and residents of Toms River is strictly the fault of Mayor Rodrick, due to his lack of planning and more importantly his retaliation towards the residents of Toms River who signed the petition to protest the Ordinance above. Leaving Toms River with one (1) Animal Control Officer (ACO) for a municipality of almost 53 square miles is dreadfully deficient and dangerous, not to mention he has stated on numerous occasions to the press that he "hired A-Academy for \$44,000" to work with Dave Matthews the ACO. It does not matter if Mayor Rodrick can authorize a contract with A-Academy for \$44,000, which he did not (OPRA Records #R024758-061724: "No documents exist (for A-Academy) during the time period of May 1, 2024 and June 17, 2024"), he would be doing that with the complete understanding that on March 27, 2024 you, the Toms River Council, voted 6-1 (Councilman Lamb voted no) to **indefinitely table** a resolution to hire A-Academy for Animal Control Services. Mayor Rodrick is

disregarding your authority as Township Council and disrespecting you. *I implore you to stand up for yourself and do the right thing!*

Based upon statements to the press, aside from hiring A-Academy for Animal Control Services, and closing the shelter for construction, he stated that he is planning on entering into a shared-services agreement with Ocean County Board of Health. This is news to the Ocean County Board of Health, that did not have any such agenda items on June 19th, and in their resolution of May 8, 2024 it stated "if the petitioners reach their number, then the Board of Health resolution will be tabled." If Mayor Rodrick wants a shared-service agreement with Ocean County Board of Health, then Council President Coleman must place it on his agenda and the Council approve the resolution – **this is wrong for Toms River!**

Mayor Rodrick, Business Administrator Jonathan Salonis and others have stated there is no money in the budget for the shelter, but yet, Mayor Rodrick is now saying there is money for construction. Whether he anticipates on pillaging the donation fund or reducing summer fireworks... **he lied!** The careless act of closing the shelter with no plan, left the residents, both with two and four legs endanger and every day the shelter is closed, the risk to the residents and animals of Toms River increases. Ocean County's Public Health Coordinator has stated that "it is the opinion of the Board of Health that all five of the animal facilities in the County are necessary," and "the shelter is needed and necessary for the welfare of the animals of Toms River." But yet, Mayor Rodrick closed the shelter with no plan to handle Animal Control Services and no concerns of the needs of the residents prior to closing. **TOMS RIVER DESERVES BETTER!**

It is clear of Mayor Rodrick's intention and his careless act causing endangerment to the welfare of the animals of Toms River and based upon the situation the human residents of Toms River, too. Equally troublesome is his disrespect towards you, the Township Council of Toms River that have been elected, as he was, to represent the residents of Toms River. My letter comes with an independent personal recommendation for a solution in the form of an Ordinance and two resolutions, that Council President Coleman may place on the agenda with the support of Council as per the Township Code, with no involvement of Mayor Rodrick – Township Council meetings are your meetings:

"An Ordinance of the Township of Toms River, County of Ocean, State of New Jersey, Authorizing the Township of Toms River to retain the operation and management of the Toms River Animal Shelter for a period of time of five (5) years, with annual reports to Council and if at any time after two (2) reporting cycles the Council deems the operation to be unacceptable, the Council may approve to negotiate a lease to be signed by the Mayor with the Ocean County Board of Health. The five (5) year time period shall be extended by Council six months prior to its expiration to a duration deemed fit at that time."

Resolution 1: "The Township of Toms River shall reopen the Toms River Animal Shelter within 48 hours of this meeting and reinstate all laid off employees and return to full operation as per the Township Code and standards set forth by Toms River Township."

Resolution 2: "The Township of Toms River shall solicit feedback from the Ocean County Board of Health, employees and volunteers of the Toms River Animal Shelter and the surrounding neighborhood due to previously documented noise concerns (barking) on improvements and upgrades to the Shelter and report back to the Council by October 1, 2024."

I believe the ordinance and resolutions are in the best interest of the residents of Toms River, the animals of Toms River and all parties involved with the Toms River Animal Shelter, including the Toms River Police Department and the Ocean County Board of Health. Please consider and do what is right to get them on the Agenda for June 26, 2024.

I thank you and God Bless you, and God Bless America.

Philip I. Brilliant
79 Holly Tree Lane
Toms River, NJ 08753

Good afternoon Mr. Brilliant,

I have received your letter this morning, June 26, 2024. Although I probably should not respond I find it difficult after these past 6 months to just ignore people like you. To say the least, I have been trying to make decisions based on my experience, financial responsibility and my general knowledge of the history of the towns early development in the wild "80's". I have been involved for more than 50 years in a number of key positions.

As you well know, I agreed to take the seat of Dan when he was elected Mayor for a period of time. Once the election was held, I know that time ends in January 2025 or at any time it becomes more advantageous to have Bill take the seat. I have owned 4 homes in Toms River and paid taxes here since 1972. In all that time I have never seen things so disturbing. Even when we had several Democratic politicians who were very popular, we never had this degree of hate expressed. This town has always been a Republican bastion where we agreed to unite in all ways to hold the seat and provide a better future for the town. Today sadly, we do not have the Dems to point at, we are having our own civil war. You and several others are providing all the fodder needed to create disruptions to kill the Mayor because he ran on certain things and got elected.

The fights we have had to endure are all B.S. created and specifically aimed at causing as much disruption as possible. To say simply not backfilling 2 positions at the captains level is de-funding the police is so wrong. Every single policeperson in Toms River has been told they are unimportant to the council when that could not be further from the truth. Many members of my family are police, state troopers and county sheriffs officers. I fear for their lives every day and pray every night for their safety in these crazy days. They are all officers stationed in Trenton, Camden and Newark. You refer to "doing the right thing" and that is the reason I agreed to sit in this spot. I did not want our citizens pounded with onerous penalties for things that they had no control of. I did not want a 10 story building downtown to destroy the seaport historic atmosphere and small business environment, I did not want the animals sitting in cages with mold prevalent, no runs and poor management. For these reasons I voted as I did. And I will continue to believe that the

shelter is closed because it is going to be under reconstruction by the county in order to have a cleaner more friendly environment for animals who are unfortunately forced to stay there. Not one of us on the council are in favor of killing animals and that makes it all the more evil for someone to say that about any of us. It is far better to let the County run that shelter with a vet on the site to administer what is needed. A new dog run and cleaner building managed by the county who we already pay for in our county taxes. In preliminary discussions we asked if any staff persons were needed to be retained and no one spoke up about critical personnel. The short story is they were not doing the job sufficient to prevent the problems encountered.

In closing, I would say the letter you sent was filled with drama and suspense but also full of B.S. I would stand beside Dan in all that we have done in every circumstance because I know him well enough to understand he is a good person with the best intentions and not willing to sacrifice our reserves for the sake of looking good in a flat budget.

Please save yourself the trouble of writing again since you lack the respect and common sense that is needed in deciding these things.

George Johnson

EXHIBIT S

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 Realauction.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.
- dd. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Withdrawing From The Central Health Insurance Fund For Medical Coverage, And Authorizing The Mayor To Execute And The Township Clerk To Attest To This Termination/Withdrawal Of Contract From The Central Jersey Health Insurance Fund Effective October 1, 2024
- ee. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Awarding A Contract To Meritain/An Aetna Company For Third Party Administrator And Nationwide For Stop Loss Administrative Services, And Authorizing The Mayor To Execute And The Township Clerk To Attest To Agreement Of Contract For Administrative Services With Meritain/An Aetna Company And Stop Loss Services With Nationwide Commencing October 1, 2024
- ff. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Contract For Emergency Medical Third Party Billing And Collection Services (Proposal 2024-157), To Coronis Health Rcm, Llc, Through The Competitive Contracting Process In Accordance With N.J.S.A. 40A:11-4.1

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
	Beach Badge Sales- Through 6-21-24	\$466,733.00	\$459,365.00
	Pool Badge Sales- Through 6-21-24	\$9,950.00	\$5,250.00

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



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

1. Meeting called to order.

A **Regular Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 7:00 PM.

2. Flag salute.

Council President Coleman opened with the salute to the Flag.

3. Open Public Meetings Act statement.

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

**OPEN PUBLIC MEETINGS ACT
STATEMENT**

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Thursday, January 4, 2024, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Tuesday January 2, 2024, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, January 1, 2024. The meeting dates have also been posted on the Township web page.

4. ROLL CALL:

CICCOZZI	<u>Present</u>
LAMB	<u>Present</u>
LOBMAN	<u>Present</u>

NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

5. **Minutes: May 22, 2024 Regular Council Meeting**

Motion: Approve

Motion Made By: Justin Lamb

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

6. **Honoring Resolutions and Presentations:**

Motion: Approve Honoring Resolutions and Presentations

Motion Made By: George Lobman

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

a. Eagle Scouts

i. Michael Becker- BSA Troop 20

Township of Toms River Proclamation Eagle Scout – Michael Robert Becker June 26, 2024

WHEREAS, Michael Robert Becker is a graduated member of BSA Troop 20 of the Jersey Shore Council of the Boy Scouts of America of Toms River, New Jersey and has earned the highest honor in BSA - the rank of Eagle Scout; and

WHEREAS, to achieve the rank of Eagle Scout, a scout must have a minimum of 22 months tenure, have earned at least 7 skill awards, logged a minimum of 18 hours community service time, served at least 16 months as a troop leader in 3 of 11 leadership positions, and have amassed at least 21 badges (14 of which are required by the Boy Scouts of America National Committee); and

WHEREAS, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All these requirements must be completed prior to a scout's 18th birthday; and

WHEREAS, Michael Becker has been active in scouting since First Grade and as a Cub Scout, he earned all cub ranks and the Arrow of Light. After crossing over to Boy Scouts, Michael served in a variety of leadership roles including serving as the Scribe and Patrol Leader and Senior Patrol Leader in Troop 20. Michael earned a total of 37 merit badges. On May 7, 2024, Michael earned the rank of Eagle; and **WHEREAS**, the beneficiary of Michael's Eagle Scout project was the Master Gardeners at Rutgers Agricultural Center. Michael removed 2 rotting beds and replaced them with 3 new vinyl beds. The beds were filled with soil and the area mulched. The name of his project was "The Homegrown Garden." **NOW, THEREFORE, I, Daniel T. Rodrick, Mayor of the Township of Toms River, along with Council members on behalf of the Township and its residents do hereby CONGRATULATE AND HONOR Michael Becker on his achievement of becoming an Eagle Scout and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and efforts for the good of his community.**

ii. Luke Lotter- BSA Troop 20

Township of Toms River
Proclamation

Eagle Scout – Luke Lotter June 26, 2024

WHEREAS, Luke Lotter is a graduated member of BSA Troop 20 of the Jersey Shore Council of the Boy Scouts of America of Toms River, New Jersey and has earned the highest honor in BSA - the rank of Eagle Scout; and

WHEREAS, to achieve the rank of Eagle Scout, a scout must have a minimum of 22 months tenure, have earned at least 7 skill awards, logged a minimum of 18 hours community service time, served at least 16 months as a troop leader in 3 of 11 leadership positions, and have amassed at least 21 badges (14 of which are required by the Boy Scouts of America National Committee); and

WHEREAS, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All these requirements must be completed prior to a scout's 18th birthday; and

WHEREAS, Luke has been active in scouting since First Grade and as a Cub Scout, he earned all cub ranks and the Arrow of Light. After crossing over to Boy Scouts, Luke

served in a variety of leadership roles including serving as the Scribe and Patrol Leader in Troop 20. Luke earned a total of 22 merit badges. On August 23, 2023, Luke earned the rank of Eagle; and **WHEREAS**, the beneficiary of Luke's Eagle Scout project was Double Trouble State Park. Luke installed 5 bat houses into Double Trouble State Park to regulate the mosquito population. **NOW, THEREFORE**, I, Daniel T. Rodrick, Mayor of the Township of Toms River, along with Council members on behalf of the Township and its residents do hereby **CONGRATULATE AND HONOR** Luke Lotter on his achievement of becoming an Eagle Scout and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and efforts for the good of his community.

iii. Thomas Miller- BSA Troop 59

Township of Toms River

Proclamation

Eagle Scout – Thomas Matthew Miller

June 26, 2024

WHEREAS, Thomas Matthew Miller is a graduated member of BSA Troop 59 of the Jersey Shore Council of the Boy Scouts of America of Toms River, New Jersey and has earned the highest honor in BSA - the rank of Eagle Scout; and

WHEREAS, to achieve the rank of Eagle Scout, a scout must have a minimum of 22 months tenure, have earned at least 21 skill awards, logged a minimum of 18 hours community service time, served at least 22 months as a troop leader in 3 of 11 leadership positions, and have amassed at least 32+ badges 14 of which are required by the Boy Scouts of America National Committee; and

WHEREAS, before receiving final approval for the rank of Eagle Scout, a scout's achievements must be reviewed and approved by the Board of Review with the Council District Advancement Chairman and if approved by said Board, then all paperwork is sent to the National Headquarters in Texas for approval. All these requirements must be completed prior to a scout's 18th birthday; and

WHEREAS, Thomas Matthew has been active in scouting since first grade and as a Cub Scout, he earned all cub ranks and the Arrow of Light. After crossing over to Boy Scouts, Thomas Matthew served in a variety of leadership roles and, following his attendance of National Youth Leadership Training (NYLT), he served as Senior Patrol Leader in Troop 59. In March of 2024, Thomas Matthew earned his Eagle Award; and

WHEREAS, the beneficiary of Thomas Matthew's Eagle Scout project was K. Hovnanian Pediatric Day Stay in Neptune, New Jersey. Thomas Matthew distributed gift baskets for children in recovery-pediatric day stay who were receiving treatment for Crohn's disease.

NOW, THEREFORE, I, Daniel T. Rodrick, MAYOR of the Township of Toms River, on behalf of myself, the Township Council, and the residents of the Township of Toms River, congratulate Thomas Matthew on his achievement of becoming an Eagle Scout, and commend and applaud his commitment to the Boy Scout Program and for dedicating his time and efforts for the good of his community.

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

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

1. I am the Municipal Clerk of the Township of Toms River, and as such have the responsibility for the examination and certification of petitions submitted pursuant to N.J.S.A. 40:69A-185

2. On May 14, 2024, a petition consisting of over 450 pages was filed with my office by a committee of petitioners.

3. The petition contained the following language:

Petition to protest ordinance that authorizes the lease of the Township's Animal Shelter to the Ocean County Board Of Health. We, the undersigned, registered voters of the Township of Toms River, Ocean County, New Jersey, hereby request a referendum election and submission to popular vote for the Animal Shelter Ordinance, designated as " An Ordinance Of The Township of Toms River, County of Ocean. State of New Jersey, Authorizing the Mayor to Execute and the Township Clerk to Attest to a Lease Agreement Between the Township of Toms River and the Ocean County Board of Health Authorizing the Leasing of Certain Municipal Property Pursuant to N.J.S.A. 40A:12-14(B)," approved on April 24, 2024. Under the powers of referendum granted in N.J. S.A. 40:69A-185. The undersigned voters demand that the Animal Shelter Ordinance in its entirety with any changes (whether by amendment or resolution) by the Township Council be submitted to the electorate for a vote at a general or special election. with a question to be put to the voters of Toms River Township in the form of a Referendum.

4. N.J.S.A. 40:69A-185 states: "...if the petition shall be signed by a number of the legal voters of the municipality equal in number to at least 15% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected, the ordinance shall be suspended from taking effect until proceedings are had as herein provided."

5. In the General Election of November 2023, 20,523 voters of Toms River Township voted, according to the data obtained from the Ocean County Board of Elections, and 15% of 20,523 is 3,079.

6. After my review of the petition, I hereby certify that each paper of the petition has a proper statement of the circulators.

7. Using the New Jersey Voter Registration System to verify each of the signatures and ensure all who signed are registered to vote in Toms River Township, I further certify that, pursuant to N.J.S.A. 40:69A-185, more than 3,079 registered voters, which is equal to 15% of the 20,523 voters of the Township of Toms River who voted at the last preceding general election, have signed the petition in question and that pursuant to the provisions of this statute, Toms River Township Council must, within 20 days, take action to repeal this ordinance or it will be submitted

to appear on a ballot as a question for the voters at a future election.

Michael C. Cruoglio
Toms River Township Municipal Clerk
June 26, 2024

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 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:

INTERSECTION: STOP SIGN INSTALLED ON:

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.

Phillip Brilliant - Spoke on procedures for adding stop signs, said this didn't seem to follow the protocol based on information obtained from an OPRA request.

Councilman Lamb - Said he spoke with engineering, said several residents also called about getting stop signs due to potential danger

Motion: Approve Item 7
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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

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

BE IT ORDAINED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Toms River, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,000,000 (estimated \$1,850,000 for hard costs and \$150,000 for soft costs), said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$95,239 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,904,761, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.(a) The improvements hereby authorized to be undertaken consist of the acquisition of real property for municipal purposes, located at 1 Robbins Parkway in the Township and identified as Block 668, Lot 13 on the Township Tax Map, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Chief Financial Officer, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,904,761, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,000,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,000,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$95,239 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5.The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,904,761 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for interest on said obligations, costs

of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Councilman Quinlisk Wants to ensure we do our due diligence. Suggested full study done to avoid potential issues

Councilman Ciccozzi Said he doesn't know the plans, needs to know more

Mayor Rodrick Said there was an environmental study done, came back clean. Said this is a great opportunity

Motion: Table Item 8

Motion Made By: James Quinlisk

Seconded: David Ciccozzi

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	No
Council Member Lobman	No
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	No

Council President Coleman No

Motion: Approve Item 8
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ACQUISITION, BY PURCHASE, OF BLOCK 668, LOT 13, (1 ROBBINS PARKWAY) 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

WHEREAS, the Mayor and Township Council of the Township of Toms River wish to acquire for public purposes, Block 668, Lot 13, (1 Robbins Parkway), as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey; and **WHEREAS**, the Mayor and Township Council believe that this acquisition would be in the best interest of the Township of Toms River;

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

1. The Mayor and Township Council of the Township of Toms River authorize the acquisition of, Block 668, Lot 13, (1 Robbins Parkway), as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey.
2. The total purchase price for the parcel acquired shall not exceed the sum of \$1,850,000.
3. The Township of Toms River is empowered by N.J.S.A. 40A:12-5, et seq. to acquire lands or rights therein by purchase. The appropriate Township Officials are authorized to execute any and all documents necessary to complete the purchase.
4. If necessary, the Mayor is authorized to expend funds for any other necessary expert analysis, engineering or other professional service as may be required to acquire the Property.
5. Should any section, paragraph, sentence or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and to his end the provisions of this ordinance are hereby declared severable.

6. 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.
7. Since this ordinance is not legislative in nature, it need not be codified.

Motion: Approve Item 9

Motion Made By: Justin Lamb

Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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 Committee 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.

Motion: Approve Item 10

Motion Made By: Lynn O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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

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

Items to be read separately: E, F, K, S, V, BB, CC, DD, EE, FF

Motion: Approve Consent Agenda with the exceptions of E, F, K, S, V, BB, CC, DD, EE, FF

Motion Made By: Lynn O'Toole

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- a. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Authorizing Refund and Cancelations of Tax Payments

A1. 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:

The outstanding 2024 taxes are hereby cancelled;

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

A2.

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.

A3.

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

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

- 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

B1. 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

B2. 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

B3. 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

B4. 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

the owner of real property in the Township of Toms River known as Block 192.51 Lot 35, located at 1504 Oak Burr 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

B5. 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

B6. 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

- 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

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

- 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

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

- 1. 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

- 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

RESOLUTION AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR 2024-2025

June 2024

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

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

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

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

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

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

1507-33-001-010

KHP Toms River LLC

Kpot Korean BBQ& Hot Pot

Route 166 and 37 Unit B2 Crossroads Center of Toms River

Toms River, NJ 08753

1507-33-002-004

Aqua Blu Restaurant & Grill, LLC

3410 Route 37 East

Toms River, NJ 08753

1507-33-003-010 (Pocket)

AR Seashore, LLC.

1378 Vincenzo Dr

Toms River, NJ 08753

1507-33-004-010
OTB Acquisition LLC
On the Border
1201 Hooper Ave
Toms River, NJ 08753

1507-38-005-008
JPPGR, Inc.
t/a Artisan's Brewery & Italian Grill
1171 Hooper Ave
Toms River, NJ 08753

1507-33-006-011
Cayard Inc.
t/a Office Lounge
820 Main Street & 10 Highland Parkway
Toms River, NJ 08753

1507-33-008-006
South Jersey Pub's
T.G.I Friday's
1279 Hooper Ave
Toms River, NJ 08753

1507-33-009-011
Apple Food Service of Toms River LLC
t/a Applebee's Neighborhood Grill & Bar
1201 Hooper Ave #1095
Toms River, NJ 08753

1507-33-010-006
BJS Restaurant Operations Company
BJS Restaurant & Brewhouse
1275 Hooper Ave
Toms River, NJ 08753

1507-33-011-006
IL Tramonto Inc.
t/a Villa Amalfi Ristorante
1006A Lakewood Rd
Toms River, NJ 08753

1507-33-012-008
B2OPCO Toms River LLC
t/a B2 Bistro & Bar
1250 Hooper Ave
Toms River, NJ 08753

1507-33-014-004 (POCKET)
Texas Roadhouse Holdings LLC
6040 Dutchmans Lane Suite 200
Louisville, KY 40205

1507-33-017-007
Red Lobster Restaurants, LLC
t/a Red Lobster #568
1298 Hooper Ave
Toms River, NJ 08753

1507-33-018-012
JMJ License Corporation
t/a Rivs Toms River Hub
1850 Hooper Ave
Toms River, NJ 08753

1507-33-019-009
Spot Enterprises, Inc.
t/a The Spot (Pizza Grill)
2018 Route 37
Toms River, NJ 08753

1507-33-020-007 (Inactive)
Beach Tacos Toms River LLC
1165 Fischer Blvd
Toms River, NJ 08753

1507-33-021-011
Valnrose LLC
Roxy's Bar & Grill
11 Kettle Creek Rd
Toms River, NJ 08753

1507-33-024-010
Macs Pub LLC
1747 Hooper Ave
Toms River, NJ 08753

1507-33-025-005
Wisk Inc.
201 Route 37 West
Toms River, NJ 08755

1507-33-026-009
Chef's International, Inc.
t/a Baker's Water Street
4 Robbins Parkway

Toms River, NJ 08753

1507-33-042-007
PF Chang's China Bistro Inc.
1201 Hooper Ave
Toms River, NJ 08753

1507-33-044-003
GMRI, Inc.
The Olive Garden Italian Restaurant #1483
1277 Hooper Ave
Toms River, NJ 0853

1507-33-046-007
Bahama Breeze Holdings LLC.
Bahama Breeze #3052
1201 Hooper Ave
Toms River, NJ 08753

1507-33-050-002
Brinker New Jersey Inc.
t/a Chili's Grill & Bar
1315 Hooper Ave
Toms River, NJ 08753

1507-33-052-004
Munson of Toms River Wings LLC
Buffalo Wild Wings
2 Route 37 West Unit C-1
Toms River, NJ 08753

1507-33-053-004
Krish Food, LLC
d/b/a Tio Juan's Margarita
Mexican Restaurant
270 Hwy 37 East
Toms River, NJ 08753

1507-33-054-003
Freehold Raceway Off Track LLC.
t/a Favorites at Toms River
1071 Route 37 West
Toms River, NJ 08755

1507-33-057-003
Joe Bella's, LLC
Joe Bellas Italian Kitchen & Bar
781 Fischer Blvd

Toms River, NJ 0753

1507-33-062-001 (Pocket)
Michael Wright
49 Tabago Ave
Toms River, NJ 08753

2. That Plenary Retail Consumption Liquor License be and they are hereby renewed to the following for the same premises presently, to wit:

1507-36-036-008
TR Lodging Realty LLC
t/a TR Hotel, Tha Palms Restaurant& Lounge
Atlantis & Coral Ballrooms
290 Route 37 East
Toms River, NJ 08753

1507-36-040-002
NJ Hotel Group LLC
t/a Clarion Hotel
815 Route 37 West
Toms River, NJ 08755

a) Said license shall not be renewed or transferred except for or to a hotel (or motel) containing at least 100 sleeping rooms.

3. That Plenary Retail Consumption Liquor License be and is hereby renewed and granted to the following for the same premises presently licensed, to wit:

1507-36-016-005
TR Meldi Maa LLC
t/a Howard Johnson By Wyndham
955 Hooper Avenue
Toms River, NJ 08753

Subject, however, to the following special conditions, which conditions shall be part of the license:

a) Said License shall not be renewed or transferred except for or to a hotel or motel containing at least 50 sleeping rooms.

4. That Plenary Retail Consumption License with Broad Package Privilege hereby renewed and granted to the following for the same premises presently licensed, to wit:

1507-32-015-010
Crossroads Spirits LLC
Spirits Unlimited
2 Route 37 West, Bldg. E
Toms River, NJ 08753

1507-44-013-006
1617 Highway LLC
t/a Monaghan's Liquors
1617 Route 37 East
Toms River, NJ 08753

1507-44-022-007
Overdue LLC
t/a Anthony's Liquors, Anthonys Wines and Liquors
1237-47 Route 166
Toms River, NJ 08753

1507-44-023-009
Wines & Liquors, Inc.
t/a Spirits Unlimited
897 Fischer Boulevard
Toms River, NJ 08753

1507-44-043-007
Overdue LLC
t/a EZ Liquors
2016 Route 37
Toms River, NJ 08753

1507-44-045-009
Mrs D Ortley LLC.
t/a Spirits Unlimited
Acme Shopping Center Rt. 35
Seaside Heights, NJ 08751

1507-44-047-002 (Pocket)
3 Times, LLC
952 Lakewood Rd
Toms River, NJ 08753

1507-44-056-001
Retail LLC
t/a Super Buy Rite
2360 Lakewood Rd Unit A3&A4
Toms River. NJ 08755

Subject, however, to the following special conditions, which conditions shall be part of the license:

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

the License Number.

1507-44-048-005* 1507-44-049-006 *
Retail, LLC Again, Inc.
Buy Rite Liquor of Silverton t/a Spirits Unlimited
1922 Hooper Ave Units 8-11 941 Route 37 West
Toms River, NJ 08753 Toms River, NJ 08755

1507-44-051-003 * 1507-44-055-006 *
Cool Is The Rule, Inc. Srikaar LLC
t/a Spirits Unlimited Buy Rite of Toms River
1426 Lakewood Road 1311 Route 37 East
Toms River, NJ 08753 Toms River, NJ 08755

5. Each of the licenses referred to in the preceding paragraphs hereof shall be executed for and on behalf of this Municipality by Clerk of the Township of Toms River, with an effective date of **July 1, 2024**.

6. The Township Clerk shall forthwith report to the Division of Alcoholic Beverage Control of the State of New Jersey, and to the State Division of Taxation, the issuance of each said license as soon as such licenses are issued.

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

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

Motion: Approve Item E
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes

Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- 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

**RESOLUTION AUTHORIZING THE RENEWAL OF CLUB LIQUOR LICENSES FOR
2024-2025**

June 26, 2024

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

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

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

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

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

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

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

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

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

1507-31-027-002
George P. Vanderveer
American Legion Post #129
2025 Church Rd
PO Box 203
Toms River, NJ 08754

1507-31-28-001
Knights of Columbus
Columbus Club of Toms River
113 Tennyson Ave
PO Box 78

Island Heights, NJ 08732

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

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

1507-31-031-001
Toms River Country Club
419 Washington Street
Toms River, NJ 08753

1507-31-032-004
Toms River Yacht Club
1464 Riviera Dr
PO Box 468
Toms River, NJ 08754

1507-31-035-002
Seaside Lodge #399
Loyal Order of the Moose
1801 Bay Boulevard
Seaside Heights, NJ 08751

1507-31-60-001
Normandy Beach Yacht Club
236 South Court
Normandy Beach, NJ 08739

2. The licenses referred to in the preceding paragraph hereof shall be executed for and on behalf of this Municipality by the Clerk of the Township, with an effective date of **July 1, 2024**.

3. The Township Clerk shall forthwith report to the Division of Alcoholic Beverage Control of the State of New Jersey, and to the State Division of Taxation, the issuance of each said license as soon as such licenses are issued.

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

- a) Department of Police
- b) Chief Financial Officer
- c) Municipal Attorney
- d) Licensees, as listed above
- e) State of New Jersey

Division of Alcoholic Beverage Control
140 East Front Street
CN 087
Trenton, N.J. 08625-0087
f) State Division of Taxation
ATTN: ABC Licensing Unit
PO Box 245
Trenton, NJ 08695

Motion: Approve Item f
Motion Made By: Justin Lamb
Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- 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 Realauction.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

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
- 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

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. Magic Touch Construction Co., Inc.
83 Fleet Street 59 W. Front Street
Jersey City, NJ 07306 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

- 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)

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

- 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

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

- 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

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 FROM SUNOCO LLC, 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

Councilman Quinslik asked how much township plans to save by switching to new vendor.

Mayor Rodrick said road dept & sanitation requested change, gas deliveries weren't being made on time.

Motion: Approve Item K

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Abstain
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- I. **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

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

- 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

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

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)

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
- 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

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

- 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

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 award 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

Discount off current
Peterbilt Repair Parts
Vendor: Price List:

Hunter Truck 25%
524 Monmouth Rd.
Clarksburg, NJ 08510

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

- 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

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

- 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.

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

- 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

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

Councilman Nivison asked what his qualifications are & if we've always had a township insurance fund representative.

Motion: Approve Item S

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- 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

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

- 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

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

- 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

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

Motion: Approve Item V
Motion Made By: Justin Lamb
Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- 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

RESOLUTION AMENDING BUDGET REVENUES AND APPROPRIATIONS FOR FY2024 CLEAN COMMUNITIES GRANT IN THE AMOUNT OF \$289,776.54

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 FY2024 Clean Communities Grant 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 \$289,776.54 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:

FY2024 Clean Communities Grant.....\$289,776.54

pursuant to the provisions of the Statute;

BE IT FURTHER RESOLVED that a like sum of \$289,776.54 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:

FY2024 Clean Communities Grant.....\$289,776.54

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

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

x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Resolution Changing Various Custodians Of Petty Cash Funds

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:

1. Director, Division of Local Government Services
2. Business Administrator
3. Director of Finance/CFO
4. Township Attorney

5. Anthony Benyola

- 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)

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:

1. Township Engineer
2. Chief Financial Officer
3. Township Attorney
4. Gerard McIntyre

108 Island Road
Toms River, NJ 08753

- 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)

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 to each of the following:

1. Township Engineer
2. Chief Financial Officer

c. Township Attorney

d. Antonio Indovina
1100 Carlow Drive
Toms River, N.J. 08753

- 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)

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;

1. Maintenance Surety Bond listed in the preamble hereof be and the same is hereby retained;

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

1. Township Engineer
2. Chief Financial Officer

c. Township Attorney
d. 1181 Route 37 West
c/o R. Stone and Co.
432 Lakehurst Road
Toms River, NJ 08755

- 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

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

Motion: Approve Item B.B.

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- 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.

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

Motion: Approve Item CC

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- dd. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Withdrawing From The Central Health Insurance Fund For Medical Coverage, And Authorizing The Mayor To Execute And The Township Clerk To Attest To This Termination/Withdrawal Of Contract From The Central Jersey Health Insurance Fund Effective October 1, 2024

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY WITHDRAWING FROM THE CENTRAL HEALTH INSURANCE FUND FOR MEDICAL COVERAGE, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO THIS TERMINATION/WITHDRAWAL OF CONTRACT FROM THE CENTRAL JERSEY

HEALTH INSURANCE FUND
EFFECTIVE OCTOBER 1, 2024

JUNE 26, 2024

A resolution to terminate all participation under the Central Jersey Health Insurance Fund for Medical Coverage;

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 of Toms River hereby resolves to terminate its participation in the Central Jersey Health Insurance Fund (Medical Plan), thereby canceling coverage provided for all of its active and retired employees.

2. The Township of Toms River shall notify all active employees of the date of their termination of coverage under the Fund.

3. This resolution shall take effect the first of the month following a 90-day period beginning with the receipt of the resolution by the Central Jersey Health Insurance Fund, for an effective date Of October 1, 2024.

4. The Mayor is authorized to execute and the Municipal Clerk to attest to this termination/withdrawal of contract from the Central Jersey Health Insurance Fund, commencing October 1, 2024.

5. 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) Chief Financial Officer
- e) Township Attorney
- f) Human Resources
- g) Fairview Insurance Agency Associates

25 Fairview Avenue

Verona, NJ 07044

Attn: Lisa A. Narcise, Senior Account Manager

Attn: Paige Cicalese, Account Manager

Councilman Quinlisk asked how much we are saving by switching plan
Council President Coleman said were hoping about 2 million dollars

Motion: Approve Item D.D.

Motion Made By: Justin Lamb

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes

Council Vice-President O'Toole
Council President Coleman

Yes
Yes

- ee. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey Awarding A Contract To Meritain/An Aetna Company For Third Party Administrator And Nationwide For Stop Loss Administrative Services, And Authorizing The Mayor To Execute And The Township Clerk To Attest To Agreement Of Contract For Administrative Services With Meritain/An Aetna Company And Stop Loss Services With Nationwide Commencing October 1, 2024

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT TO MERITAIN/AN AETNA COMPANY FOR THIRD PARTY ADMINISTRATOR AND NATIONWIDE FOR STOP LOSS ADMINISTRATIVE SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO AGREEMENT OF CONTRACT FOR ADMINISTRATIVE SERVICES WITH MERITAIN/AN AETNA COMPANY AND STOP LOSS SERVICES WITH NATIONWIDE COMMENCING OCTOBER 1, 2024

JUNE 26, 2024

WHEREAS, the Township of Toms River through their Employee Benefits Consultant and Insurance Agency Foundation Risk Partners Corp. d/b/a Fairview Insurance Agency, solicited and evaluated in accordance with extraordinary unspecifiable services, N.J.S.A. 40A:11-5 and 18A:5a services for Medical Coverage for Third Party Administrator and Stop Loss Administrative Services; and

WHEREAS, the Township of Toms River hereby resolves to enter into an agreement with Meritain/An Aetna Company for Third Party Administrator and Nationwide for Stop Loss Administrative Services for Medical Insurance coverage for employees and retirees under the age of 65 through a self-insured program; and

WHEREAS, the Township of Toms River hereby resolves that the network for members will remain with Aetna for Medical Insurance coverage for employees and retiree under the age of 65 through a self-insured program, to be effective October 1, 2024:

Meritain/An Aetna Company as the Third Party

Administrator at a cost of: Administrative Fees

PEPM \$85.75

RMS Administrative Fee \$7.50

WHEREAS, the Township of Toms River hereby resolves that the Stop Loss Coverage will be administered by Nationwide for the Medical Insurance coverage for employees and retirees through a self-insured program, to be effective October 1, 2024:

Nationwide as the Stop Loss Vendor at a cost of
Individual Specific Deductible of \$250,000

Employee Rate: \$72.13 per month

Employee + Adult Rate: \$175.16 per month

Employee + Child (ren) Rate: \$175.16 per month

Family Rate: \$175.16 per month

Aggregating Specific Deductible \$150,000

Aggregate Premium PEPM \$11.55 per month;

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 Mayor is authorized to execute and the Municipal Clerk to attest to this agreement of contract for Administrative Services with Meritain/An Aetna Company and Stop Loss Services with Nationwide commencing October 1, 2024, subject to the execution of a contract, availability of funds, and adoption of the CY24 budget.

2. A notice of this contract shall be published once within 10 days of the date of this resolution in the Asbury Park Press.

3. 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) Chief Financial Officer
- e) Township Attorney
- f) Purchasing Division
- g) Human Resources
- h) Meritain
- i) Nationwide
- j) Fairview Insurance Agency Associates
25 Fairview Avenue
Verona, NJ 07044
Attn: Paige Cicalese, Account Manager
Attn: Lisa A. Narcise, Senior Account Executive

Motion: Approve Item E.E.

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

- ff. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Contract For Emergency Medical Third Party Billing And Collection Services (Proposal 2024-157), To Coronis Health Rcm, Llc, Through The Competitive Contracting Process In Accordance With N.J.S.A. 40A:11-4.1

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING AWARD OF CONTRACT FOR EMERGENCY MEDICAL THIRD PARTY BILLING AND COLLECTION SERVICES (PROPOSAL 2024-157), TO CORONIS HEALTH RCM, LLC, THROUGH THE COMPETITIVE CONTRACTING PROCESS IN ACCORDANCE WITH N.J.S.A. 40A:11-4.1

JUNE 26, 2024

WHEREAS, proposals were received on June 4, 2024 for Third Party Emergency Medical Billing and Collection Services through the competitive contracting process in accordance with N.J.S.A. 40A:11-4.1 which allows for price and other factors, and the results are as follows:

**Coronis Health RCM, LLC EMS Consulting
50 US Highway 9, Bldg. B. 20 E. Taunton Road
Morganville, NJ 07751 Berlin, NJ 08009**

WHEREAS, the review committee for this solicitation consisted of Mitch Seim, Dominick Rotondo, Lt. Bachonski, Drew Chabot and Kevin Monaghan; and

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

Averages Per Category: Total Average

EMS Consulting:

Technical 30%: 29.6%
Management 50%: 46.2%
Cost 20%: 19.4% 95.2%

Coronis Health:

Technical 30%: 29.8%
Management 50%: 49.0%
Cost 20%: 18.2% 97.0%

WHEREAS, the scores were based upon observations from Drew Chabot, Mitch Seim, Lt. Bachonski, Kevin Monaghan and Dominic Rotondo;

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

1. It hereby awards a contract for the provision of Third Party Emergency Medical Billing and Collection Services (Proposal 2024-157) to Coronis Health RCM, LLC. as follows:

Coronis Health: Total Average

Technical 30%: 29.8%
Management 50%: 49.0%
Cost 20%: 18.2% 97.0%

2. This contract shall commence June 29, 2024 for a period of twenty-four (24) 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 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.

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) Office of Emergency Management
- e) All aforementioned bidders

Councilman Quinlisk asked how much are we saving by switching companies, how much money will we re coop?

Mayor Rodrick Scoring is part of the bid process, Company has a history of increasing revenue. Potential for a lot more revenue

Motion: Approve Item FF

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Abstain
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Abstain
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

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
Beach Badge Sales- Through 6-21-24	\$466,733.00	\$459,365.00
Pool Badge Sales- Through 6-21-24	\$9,950.00	\$5,250.00

Motion: Approve Reports
Motion Made By: Thomas Nivison
Seconded: Craig Coleman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Approval of Bills

The Township Clerk asked for the Approval of the Bills.

Motion: Approve Bill List
Motion Made By: Craig Coleman
Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

The following abstentions were made:

Councilman Lamb abstained from:

Purchase Order 24-03371, in the amount of \$1,191.59 payable to Borough of Lavallette
Purchase Order 24-03326, in the amount of \$6,619.23 payable to Magistrate Salaries
Purchase Order 24-03321, in the amount of \$21,170.00 payable to Dasti, McGuckin

Councilman Quinlisk abstained from:

Purchase Orders 24-02338, in the amount of \$2,860.00 payable to TEC Elevator
Purchase Order 24-02990 in the amount of \$4,877.47 payable to Remington & Vernick

Elected Official's Comments

Councilman Lamb - Met with Ortleigh beach assoc, gearing up for beach replenishment. Thanked the Department of Public Works for the storm clean up. Also thanked the Director of Recreation. Wished everyone a Happy 4th of July.

Councilman Quinlisk - Said an agenda meeting was held, it was beneficial. Asked if the council was aware that the attorney they appointed at the last meeting for the Ciba -Geigy site, is the same attorney Mayor Rodrick is using for his own personal employment issues.

Councilman Lobman - No comment

Councilman Nivison - Thanked everyone for coming to represent the animal shelter

Councilman Ciccozzi - Spoke about a friend, John, who passed away. Said he is 100% on board with the purchase of the boat works property, said he abstained because he is not in the loop of things. Asked if residents are receiving unsolicited letters to purchase their property. Mentioned open space on Whitesville Rd,. Said It was rumored that the town doesn't want to get involved with it & they want to get out of the contract. Said we should give the animal shelter a chance.. Give the volunteers, workers & everyone a chance to get it going. Could break even, eventually, and try to make a profit.

Council Vice-President O'Toole - No comment

Councilman Nivison - Spoke again, directed comments to the Mayor about the animal shelter, said he told him it would be the biggest win for him, or the biggest loss. Asked the public if they would be back on his side if he were to get the shelter back.

Mayor Rodrick - Said shelter will be reopened under Ocean County management, install dog runs, and said the dogs weren't getting the proper exercise & the ventilation was not good. Thanked council for supporting the acquisition of the Boat Works Property & the change of health insurance.

Councilman President Coleman Said he is excited about purchasing the boat works property. Wants Toms River on the map, thinks it will draw people here without utilizing our resources. Said he'd like to ask the mayor to engage with the community for suggestions on what to do there

Public Comments

Dennis Galante, Cherokee Court, Toms River - asked about the 1 million dollar donation, also asked where 1.2 million trust fund went, said they're stifling transparency. Why are you asking residents to sit down? Asked what's going on with the council videos being put back up ? Mentioned consent agenda, gave copy to clerk

Claire, Environmental Commission, Toms River - Terms of 4 (out of 7) members expiring, said they are currently in violation of the ordinance

Craig Saltarelli, 1189 Cedar Grove, Toms River Said in 2022, issues with animal shelter were remedied. Discussed number of pets in TR homes, Mentioned 1 million dollar donation

Jim Cobb, 112 Diego Road, Toms River - Hydraulic spill has not yet been cleaned up

Irene Watson, Messenger St, Toms River - Animals were being transferred to TR to make it appear they had less euthanizations. Said for two years , meeting after meeting, the public & the council had no comments on the issues being brought up about the shelter, they weren't animal lovers until the shelter closed.

Debra Curci, Bartine St, Toms River - Shelter closing was poorly planned. She said the county animal shelter was posting that they were desperate for help. They were overrun with dogs and cats. Asked what will happen to the other animals besides the cats & dogs because the county shelter won't take them

Bob Tormollan, Messenger St, Toms River - Said that respect is a two-way street. Said at the last count meeting, Council vice president O'Toole asked Mayor Rodrick what her vote should be. Said new twp lawyer Mr Burton, is Mayor Rodrick's personal lawyer.

Debra Curci, Bartine St, Toms River - Said she doesn't see integrity from the majority of the council. This is a democracy, not a dictatorship

Dawn Nivison, Silverton Road, Toms River - Spoke about animal shelter. There was no plan for animals. She said the mayor & she spoke about the shelter needing volunteers. She volunteered for four months. Said shelter was at a no-kill status for two years.

Phil Brilliant 79 Holly Tree, Toms River - Said council approved the public getting five minutes to speak on the consent agenda and for public comments. Asked if there was any approval for a new recreation director.

Chris L, Fischer Blvd, Toms River - Spoke about Veterans hospital opening on July 16

Robert Burns, 531 Lillie Road, Toms River - Asked about there only being one provider of fuel for the township, said they should have a primary & a secondary

Brian, B2 Consulting Group, Manalapan - Asked what the primary reason was for the animal shelter closing, Spoke on potential profit for animal shelter

Dawn Fredella, Jaclyn Court, Toms River - Spoke about Animal Control & animal control, asked what the plan is. She is concerned there is only one officer for animal control

Tracey Barberi, 118 Audubon Drive, Toms River - She is sad about what is going on with the tension & divide, wants everyone to work together. Ran pet therapy program at Community Medical Center, worked directly with the shelter for those pets to visit.

Bob Tormollan, Messenger St, Toms River - Said for 40 years he was a lifeguard in Lavallette, and was not re-hired the day after the previous council meeting. He wants videos of council meetings put back up.

Julia Adamek, Cedar Grove Rd, Toms River - Shelter is closed and taxpayers are still paying for the building that is closed. The animals are the victims. The Toms River shelter animals won't be the only animals being transferred to the county shelter.

Dawn Nivison, 1520 Silverton Road, Toms River - Spoke about shelter, said they could've obtained even more signatures for the petition

Dennis Galante, 1149 Cherokee Court, Toms River - Said there are 20 days to act on the animal shelter petition, asked what will be done about it

Maria Borgan, 6th Avenue, Toms River - Said Former council had dialogue with residents & they were respectful. Said she has been trying to call town hall for a week. There was no answer

Joe Coco, 1611 Walnut Creek lane , Toms River - Asked about revenue for zoning & code enforcement, asked council to take a ride around Toms River to observe all the work that needs to be done.

Phil Brilliant, 79 Holly Tree Lane, Toms River - Asked about youth services, the director was let go & no longer on the website .. Where did it go? (**Mayor Roridck** commented there weren't enough students, went from 300 kids to 9, and said the children go to the Y program now). Asked about keeping the animal shelter open until the construction starts

Brian, B2 Consulting Group, Manalapan - Proposal to take over shelter. Provided a copy of the proposal

Irene Watson, Messenger Street, Toms River - Spoke about the animal shelter. Facilities must have a license to take in wild animals.

Dawn Fredella, Jaclyn Court, Toms River - Spoke about the animal shelter, said all the issues have been fixed within the shelter. Asked when construction will start

Dan Kessel, 101 Dewey Drive, Toms River - Said Cannabis sales can generate enough to pay for the animal shelter. Asked to reconvene the cannabis committee that was previously together

Julia Adamek, Cedar Grove Rd, Toms River - Spoke on wild life, said shelter only took in wild life when rehabs were over capacity

Kelly Finley-Bolt, Wodbridge Ave, Toms River - Would council commit to meet with an animal rescue group

Carlos Almizar, Winteringham, Toms River - Said DWI's & alcohol are the worst

Tony Rivoli, Hooper Ave, Toms River - Said cannabis creates a big problem for bar owners. He

said the Mayor did a great job with the Ice Rink, cleaned it up, thinks he could do the same thing with the animal shelter.

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Executive Session

There was no need for executive session.

No other business appearing, the meeting was **adjourned** at 9:48PM

Motion: Adjourn Meeting

Motion Made By: Justin Lamb

Seconded: Thomas Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

EXHIBIT T



Philip Brilliant <mrpib13@gmail.com>

Animal Shelter Referendum

Philip Brilliant <mrpib13@gmail.com>

Mon, Jul 22, 2024 at 8:19 AM

To: Greg McGuckin <GMcGuckin@dmmlawfirm.com>

Cc: Peter Pascarella <ppascarella@tomsrivertownship.com>, Craig Coleman <ccoleman@tomsrivertownship.com>, Daniel Rodrick <drodrick@tomsrivertownship.com>, Thomas Nivison <tnivison@tomsrivertownship.com>, Christopher Raimann <chrisraimann@hotmail.com>, Dana <dtderome@gmail.com>, Philip Brilliant <mrpib13@gmail.com>

Bcc: Karen Wall <karen.wall@patch.com>, "Mikle, Jean" <jmikle@gannettj.com>

Dear Mr. McGuckin:

In light of the departure of the Township Clerk, Mr. Cruoglio, I am addressing this correspondence to yourself on behalf of the Animal Shelter Petition Committee that successfully protested and stayed the Township Council Ordinance to lease and turn operations of the Animal Shelter to the Ocean County Board of Health. To remind you, on May 31, 2024 the Township Clerk issued a letter stating that based upon his review more than 3,079 registered voters signed the petition and on June 26, 2024 he presented his findings to the Council starting the 20 day clock for the Council or Committee to take action otherwise "it will be submitted to appear on a ballot as a question for the voters at a future election."

The Committee requested a meeting of Council President Coleman so that there could be a discussion with a potential mutually beneficial outcome resulting in the withdrawal of the Protest of the Petition and saving the taxpayers the cost of an election and returning the needed animal control services to Toms River, however Mayor Rodrick responded that he had "absolutely zero interest in meeting with you. You bring nothing to the table," followed by a tirade of insults to myself. As such, the 20 days have passed and we the Committee are interested in the plans for the referendum vote. NJSA 40:69A-192 states, " Any ordinance to be voted on by the voters in accordance with section 17-36 or section 17-42 of this act (C.40:69A-185 or C.40:69A-191) shall be submitted at the next general or regular municipal election occurring not less than 40 days after the final date for withdrawal of the petition as provided for in section 17-42 of this act (C.40:69A-191), provided that if no such election is to be held within 90 days the council shall provide for a special election to be held not less than 40 nor more than 60 days from the final date for withdrawal of the petition as provided for in section 17-42 (C.40:69A-191) of this act." The understanding of this section to us is since the general election is greater than 90 days from July 16, 2024 (the 20th day after the June 26, 2024 meeting), then the referendum vote must be between 40 and 60 days, or August 5, 2024 and August 25, 2024.

Can you please review and confirm the same and possibly present your findings at the July 24, 2024 Council meeting so that the residents of Toms River Township are aware.

Thank you,

Philip Brilliant
Councilman Thomas Nivison
Dana Tormollan
Chris Raimann
Andrewa Raimann

--
Philip I. Brilliant



Philip Brilliant <mrpib13@gmail.com>

Meeting Request with Petitioners for Animal Shelter

Mon, Jul 8, 2024 at 4:43 PM

Thomas Nivison <tnivison@tomsrivertownship.com>

To: Phil Brilliant <mrpib13@gmail.com>, Craig Coleman <ccoleman@tomsrivertownship.com>

Cc: Daniel Rodrick <drodrick@tomsrivertownship.com>, Christopher Raimann <chrisraimann@hotmail.com>, "jsolanis@tomsrivertownship.com" <jsolanis@tomsrivertownship.com>, Peter Pascarella <ppascarella@tomsrivertownship.com>, Mike Cruoglio <mcruonglio@tomsrivertownship.com>, "dtderome@gmail.com" <dtderome@gmail.com>

Count me in.

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From: Phil Brilliant <mrpib13@gmail.com>

Sent: Monday, July 8, 2024 8:42:14 AM

To: Craig Coleman <ccoleman@tomsrivertownship.com>

Cc: Daniel Rodrick <drodrick@tomsrivertownship.com>; Thomas Nivison <tnivison@tomsrivertownship.com>; Christopher Raimann <chrisraimann@hotmail.com>; jsolanis@tomsrivertownship.com <jsolanis@tomsrivertownship.com>; Peter Pascarella <ppascarella@tomsrivertownship.com>; Mike Cruoglio <mcruonglio@tomsrivertownship.com>; dtderome@gmail.com <dtderome@gmail.com>

Subject: Meeting Request with Petitioners for Animal Shelter

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TOWNSHIP OF TOMS RIVER

P.O. Box 728
Toms River, NJ 08754



Telephone: (732) 341-1000
Fax Number: (732) 341-3586

May 31, 2024

Members of Council and Committee of the Petitioners,

On May 14, 2024, I was presented a petition pursuant to N.J.S.A. 40:69A-185, to protest against the passage of an ordinance titled "Ordinance Of The Township Of Toms River, County Of Ocean, State Of New Jersey, Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement Between The Township Of Toms River And The Ocean County Board Of Health Authorizing The Leasing Of Certain Municipal Property Pursuant To N.J.S.A. 40a:12-14(B)"

As the Municipal Clerk of the Township of Toms River, I have the responsibility for the examination and certification of this petition pursuant to N.J.S.A 40:69A-187. I am to determine whether the petition has a proper statement of the circulator and whether the petition is signed by a sufficient number of qualified voters.

The petition must contain at least 15% of the total votes cast in the municipality at the last election at which members of the General Assembly were elected. The last such election took place in November 2023, and according to data obtained from the Ocean County Board of Elections, there were a total of 20,523 votes cast. Therefore, the petition required a minimum of 3,079 valid signatures.

I have reviewed each of the signatures presented to me, spanning over 450 pages. Using the New Jersey Voter Registration System to verify each of the signatures and ensure all who signed are registered to vote in Toms River Township, I can confidently certify that more than 3,079 registered voters have signed the petition.

I will present my findings to the Toms River Township Council at the June 26, 2024 regular Council Meeting. The Council will have 20 days from then to take action to repeal this ordinance, or it will be submitted to appear on a ballot as a question for the voters at a future election.

Sincerely,

Michael C. Cruoglio, RMC
Toms River Township Municipal Clerk

"HOMO COGITAT, DEUS INDICAT"



Philip Brilliant <mrpib13@gmail.com>

Meeting Request with Petitioners for Animal Shelter

Daniel Rodrick <drodrick@tomsrivertownship.com>

Mon, Jul 8, 2024 at 11:34 PM

To: Thomas Nivison <tnivison@tomsrivertownship.com>, Phil Brilliant <mrpib13@gmail.com>, Craig Coleman <ccoleman@tomsrivertownship.com>, Justin Lamb <jlamb@tomsrivertownship.com>, Lynne O'Toole <lotoole@tomsrivertownship.com>

Cc: Christopher Raimann <chrisraimann@hotmail.com>, "jsolanis@tomsrivertownship.com" <jsolanis@tomsrivertownship.com>, Peter Pascarella <ppascarella@tomsrivertownship.com>, Mike Cruoglio <mcruoglio@tomsrivertownship.com>, "dtderome@gmail.com" <dtderome@gmail.com>

Mr. Brilliant,

I have absolutely zero interest in meeting with you. You bring nothing to the table. You should probably concentrate on getting a second job and paying back all of the people you screwed out of money when you took your company into bankruptcy; particularly those in our local community.

Tom may have forgotten about the terrible things you've said about him, but I haven't forgotten. The whole notion that you think any of us would have the slightest bit of interest in meeting with you, clearly demonstrates that you have delusion tendencies. Have you forgotten that you called on council president Coleman and I to resign just a few weeks ago? Or what about the time when Mo Hill went to your synagogue to present you with a proclamation as you were stepping down as president. It was during the middle of the day and I wasn't in attendance, but you put the proclamation up on Facebook and falsely accused me of refusing to sign your proclamation because you are Jewish. Do you remember that? It was the sleaziest thing anyone had ever done to me in politics. You have absolutely no morals.

You are a bankrupt, delusional low life, and a liar. I have no interest in meeting with you. You don't care about the animals, the only thing you care about is getting your team back into power so that you can be reappointed to the municipal utilities authority, where Mon got you a free health insurance policy for attending one meeting a month.

We're already forced to listen to your idiocy at least three or four times at every council meeting. Why would we subject ourselves to anything further? As I said - you bring nothing to the table.

Mayor Rodrick

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From: Thomas Nivison <tnivison@tomsrivertownship.com>**Sent:** Monday, July 8, 2024 4:43:04 PM**To:** Phil Brilliant <mrpib13@gmail.com>; Craig Coleman <ccoleman@tomsrivertownship.com>**Cc:** Daniel Rodrick <drodrick@tomsrivertownship.com>; Christopher Raimann <chrisraimann@hotmail.com>; jsolanis@tomsrivertownship.com <jsolanis@tomsrivertownship.com>; Peter Pascarella <ppascarella@tomsrivertownship.com>; Mike Cruoglio <mcruoglio@tomsrivertownship.com>; dtderome@gmail.com <dtderome@gmail.com>**Subject:** Re: Meeting Request with Petitioners for Animal Shelter

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Philip Brilliant <mrpib13@gmail.com>

Meeting Request with Petitioners for Animal Shelter

Lynne O'Toole <lotoole@tomsrivertownship.com>

Mon, Jul 8, 2024 at 11:38 PM

To: Daniel Rodrick <drodrick@tomsrivertownship.com>, Thomas Nivison <tnivison@tomsrivertownship.com>, Phil Brilliant <mrpib13@gmail.com>, Craig Coleman <ccoleman@tomsrivertownship.com>, Justin Lamb <jlamb@tomsrivertownship.com>

Cc: Christopher Raimann <chrisraimann@hotmail.com>, "jsolanis@tomsrivertownship.com" <jsolanis@tomsrivertownship.com>, Peter Pascarella <ppascarella@tomsrivertownship.com>, Mike Cruoglio <mcruoglio@tomsrivertownship.com>, "dtderome@gmail.com" <dtderome@gmail.com>

Halilluja the truth prevails

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From: Daniel Rodrick <drodrick@tomsrivertownship.com>**Sent:** Monday, July 8, 2024 11:34:13 PM**To:** Thomas Nivison <tnivison@tomsrivertownship.com>; Phil Brilliant <mrpib13@gmail.com>; Craig Coleman <ccoleman@tomsrivertownship.com>; Justin Lamb <jlamb@tomsrivertownship.com>; Lynne O'Toole <lotoole@tomsrivertownship.com>**Cc:** Christopher Raimann <chrisraimann@hotmail.com>; jsolanis@tomsrivertownship.com <jsolanis@tomsrivertownship.com>; Peter Pascarella <ppascarella@tomsrivertownship.com>; Mike Cruoglio <mcruoglio@tomsrivertownship.com>; dtderome@gmail.com <dtderome@gmail.com>

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EXHIBIT U

FOR IMMEDIATE RELEASE:

**Petitioners Request Meeting with Toms River Council to Address
Alternative Solution for Animal Shelter, Rebuffed by Mayor Rodrick**

Toms River, NJ – The Petitioner's Committee of the certified petition in protest of the Toms River Council's ordinance to authorize the mayor to execute and the township clerk to attest to a lease agreement between the Township of Toms River and the Ocean County Board of Health have been met with hostility and disdain by Mayor Rodrick. Despite submitting a formal request to Council President Coleman to discuss a viable alternative solution for the Toms River Animal Shelter that could save taxpayers the cost of a referendum election, the committee was met with a dismissive and insulting response.

The committee's proposal aimed to provide a solution that would turn a yearly profit, removing the burden from the taxpayers, while also ensuring necessary and required animal care and control services to the residents of the Greater Toms River area. However, Mayor Rodrick responded with a blunt and uncivilized message, stating, "I have absolutely zero interest in meeting with you. You bring nothing to the table."

This response is not only disappointing but also demonstrates a lack of willingness to engage with the concerns of the community and consider alternative solutions. The committee had hoped to present their proposal to Council President Coleman, whom the request was directed to as he is responsible for the Township Council Agenda and said ordinance, in an effort to find a mutually beneficial solution. Though the disrespectful response was received from Mayor Rodrick, Council President Coleman has not responded.

With over 3,079 certified signatures on the petition in protest of this ordinance, the committee will now encourage all registered voters to support the referendum that will disallow Toms River from entering into an agreement with the Ocean County Board of Health to operate a county shelter within Toms River. As stated in the ordinance, as well as by Mayor Rodrick, this lease is an "*instrument*" to the actual intent for Toms River to allow the Ocean County Board of Health to operate a county animal shelter within Toms River. Voting in favor of the referendum will disallow this action and ultimately require Toms River to seek other means of animal control and shelter.

The committee will remind Council members that Ocean County Board of Health has already stated at their May 8, 2024 meeting that if the residents of Toms River are successful in their petition to protest this ordinance, they will not enter into a lease agreement to operate the shelter.

"We are extremely disappointed and frustrated by Mayor Rodrick's response," said the committee. "We believe that our proposal would have presented a viable alternative solution that would benefit both the community and the taxpayers. Instead, the Law will send the question to a referendum election, which will likely result in additional costs for the township residents."

The committee urges all registered voters in Toms River to cast their ballots when the election date is determined in favor of disallowing the lease agreement with Ocean County Board of Health. We hope that this decision will prompt the Township Council to reconsider its approach and explore alternative solutions that benefit both the community and taxpayers.

Petitioner's Committee

Thomas Nivison, Sr., Toms River Councilman
Dana Tormollan
Philip Brilliant
Chris Raimann
Andrea Raimann

For further information contact: Philip Brilliant, mrpib13@gmail.com

EXHIBIT V

app.

ANIMALS

'Hostility and disdain': Toms River mayor, animal shelter supporters in showdown deadline

Seven-minute read



Jean Mikle

Asbury Park Press

Published 5:08 a.m. ET July 15, 2024 | Updated 5:08 a.m. ET July 15, 2024

TOMS RIVER - Leaders of a successful petition drive aimed at reversing the decision to turn Toms River's animal shelter over to the county say they have "been met with hostility and disdain" by Mayor Daniel Rodrick, when trying to schedule a meeting to discuss alternatives to the county takeover.

In a prepared statement, the petitioners' committee, which includes one of Rodrick's 2023 running mates, Councilman Thomas Nivison, noted that Township Clerk Michael Cruoglio certified that the petition contained more than the required 3,079 signatures at the June 26 council meeting. That means the council had 20 days to rescind an ordinance leasing the shelter to the county for \$1 a year, or the measure will be placed on the ballot as a referendum question for the public to decide.

The deadline is Tuesday, July 16, the petitioners said.

Rodrick said that if the petitioners try to force a referendum on the fate of the animal shelter, they will simply be delaying the building's reopening. "I'm not going to allow it to be shut for six more months so we can have a vote in November," the mayor said, adding that he had made an executive decision that the township was no longer going "to be in this business. It's a waste of tax dollars." He insisted again that having Ocean County operate the facility would be better for the animals.

TR Clerk quits: Toms River clerk quits, latest to give up job since new mayor took over

"I'm all about getting it open for the animals," Rodrick said, adding, "The people chose me because they knew I would be willing to make tough decisions for the betterment of the whole community."

He has previously said that the township can enter into a shared services agreement with the county to operate the shelter, thereby making the ordinance adopted by the council unnecessary. The council would have to vote on such an agreement.

"Despite submitting a formal request to Council President (Craig) Coleman to discuss a viable alternative solution for the Toms River Animal Shelter that could save taxpayers the cost of a referendum election, the committee was met with a dismissive and insulting response," the petitioners' statement reads.

"The committee's proposal aimed to provide a solution that would turn a yearly profit, removing the burden from the taxpayers, while also ensuring necessary and required animal care and control services to the residents of the Greater Toms River area," the statement continues. "However, Mayor Rodrick responded with a blunt and uncivilized message, stating, 'I have absolutely zero interest in meeting with you. You bring nothing to the table.'"

'We are extremely disappointed and frustrated'

In April, Township Council members voted 4-3 to lease the shelter to Ocean County for \$1 a year. The board of health agreed in May to enter negotiations to take over operations at Toms River's shelter, with board members noting they were approached by the township to run Toms River's shelter.

The petitioners said that since Rodrick has indicated he has no interest in meeting, and Coleman has not responded to their request for a meeting, they will move forward with urging all residents to support a referendum to repeal any potential lease between the county and Toms River that would allow the county to operate the shelter.

No squidding! 'Squid dissection for teens' on slate at three Ocean County libraries

"The committee will remind council members that Ocean County Board of Health has already stated at their May 8, 2024, meeting that if the residents of Toms River are successful in their petition to protest this ordinance, they will not enter into a lease agreement to operate the shelter," the committee said.

"We are extremely disappointed and frustrated by Mayor Rodrick's response," said the committee. "We believe that our proposal would have presented a viable alternative solution that would benefit both the community and the taxpayers. Instead, the law will send the question to a referendum election, which will likely result in additional costs for the township residents."

The mayor had previously said that money was not the issue with his plan to close the animal shelter, given that there was a \$1 million donation left to the animal shelter by a resident, who also left a large donation to the Ocean County animal shelter. Instead, Rodrick has said, the animal shelter was poorly run and there had been complaints about its operations for several years.

The petitioners' email was sent by Philip Brilliant, one of the petition drive leaders; he and Rodrick have a particularly contentious relationship that has included the mayor mocking Brilliant for the past bankruptcy of his environmental firm.

'This is about what's best for the animals'

"This is not about money," the mayor insisted in late February. "This is about what's best for the animals." The mayor also insisted earlier this year that he had no plans to close the shelter, which was shut down on June 6, when almost all employees, including animal control officers and kennel aides, were laid off.

The most senior animal control officer, Dave Matthews, was kept on, and Rodrick's administration hired private firm A-Academy to supplement animal control at a maximum cost of \$44,000 a year. Council members, led by Nivison, had previously tabled a resolution to hire A-Academy, but Rodrick said the company was hired by Toms River's purchasing agent as the annual cost was below the township's bid threshold. It did not require council approval, the mayor said.

Rodrick has said he never meant that the shelter would not close down for renovations before the county takes over; for example, the Toms River shelter, located on Oak Avenue next to the police department, has no dog runs where dogs can be turned out to play or burn off excess energy several times a day. Instead, employees at the shelter were walking and socializing dogs outside; the county is expected to build dog runs at the shelter and do other renovations before reopening it.

Petitioners and animal advocates have said that the shelter had turned a corner by 2023, with better management, and have disputed Rodrick's contention that the facility was dirty and poorly run when he visited it for the first time after being sworn in as mayor in January. They have expressed concern that more stray dogs and cats would be euthanized if Ocean County shelters become overcrowded, and added that the township taxpayers are still paying the mortgage on the building, which was opened in 2014.

It replaced a much smaller shelter that had operated for many years on Whitesville Road.

The animal shelter issue has caused a rift between Rodrick and Nivison, a farmer with several rescued animals whose wife was volunteering at the Toms River facility before it shut down.

At the June 26 council meeting, Nivison again pleaded with Rodrick to reconsider his stance on the shelter.

"Dan, I just want to ask you, and I said this to you, the first time the shelter thing came up, this could be the biggest win for you or the biggest loss," Nivison said. He said he did not agree that the shelter was poorly run before Rodrick's administration shut it down in early June.

Rodrick said he appreciated Nivison's comments.

"The shelter will reopen under better management," he said. "You will have a chance to vote on it."

Jean Mikle covers Toms River and several other Ocean County towns, and writes about issues related to Superstorm Sandy. She's also passionate about the Shore's storied music scene. Contact her: @jeanmikle, jmikle@gannettnj.com.

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Monday, July 15, 2024
3:00 PM**

1. **Meeting called to order.**
2. **Flag salute.**
3. **Open Public Meetings Act statement.**

4. **ROLL CALL:**

CICCOZZI	<u>Present</u>
LAMB	<u>Present - Via Telephone</u>
LOBMAN	<u>Present</u>
NIVISON	<u>Present</u>
QUINLISK	<u>Present</u>
O'TOOLE	<u>Present</u>
COLEMAN	<u>Present</u>

5. **Minutes:** Regular Council Meeting June 26, 2024
6. **Honoring Resolutions and Presentations:**

Ordinances - Final Readings

7. **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
8. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Acquisition, By Purchase, Of Block 668, Lot 13 (1 Robbins Parkway) 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

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.

9. Consent Items

Reports

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

TOMS RIVER TOWNSHIP, NJ



TOWNSHIP COUNCIL MINUTES Monday, July 15, 2024 3:00 PM

1. **Meeting called to order.**

A **Special Meeting** of the Township Council of the Township of Toms River was held in the L. Manuel Hirshblond Meeting Room, Municipal Complex, 33 Washington Street, and Toms River, New Jersey at 3:00 PM.

2. **Flag salute.**

Council President Coleman opened with the salute to the Flag.

3. **Open Public Meetings Act statement.**

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

**OPEN PUBLIC MEETINGS ACT
STATEMENT**

This meeting is convened in accordance with the provisions of the Open Public Meetings Act of New Jersey. Let the official Minutes reflect that adequate notice of this meeting has been provided by publishing a notice in the Asbury Park Press on Thursday, January 4, 2024, the Press of Atlantic City and the Star Ledger and also forwarded to the Toms River Times, Toms River Patch and WOBN News on Tuesday January 2, 2024, and thereafter posting same on the Town Hall bulletin board for such notices, and filing same with the Township Clerk, pursuant to a resolution adopted by the Township Council on Tuesday, January 1, 2024. The meeting dates have also been posted on the Township web page.

4. **ROLL CALL:**

CICCOZZI

Present

LAMB

Present - Via Telephone

LOBMAN	Present
NIVISON	Present
QUINLISK	Present
O'TOOLE	Present
COLEMAN	Present

5. **Minutes:** Regular Council Meeting June 26, 2024

Motion: Approve

Motion Made By: Lynne O'Toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

6. **Honoring Resolutions and Presentations:**

There we no honoring resolutions or presentations.

Ordinances - Final Readings

7. **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

TOWNSHIP OF TOMS RIVER

COUNTY OF OCEAN

Bond Ordinance No. 4805-24

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

BE IT ORDAINED by the TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS

RIVER, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Township of Toms River, in the County of Ocean, New Jersey (the "Township"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$2,000,000 (estimated \$1,850,000 for hard costs and \$150,000 for soft costs), said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$95,239 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$1,904,761, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of the acquisition of real property for municipal purposes, located at 1 Robbins Parkway in the Township and identified as Block 668, Lot 13 on the Township Tax Map, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Township Chief Financial Officer, as finally approved by the governing body of the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$1,904,761, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$2,000,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$2,000,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$95,239 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at

public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is forty (40) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,904,761 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Township are used to finance, on an interim basis, costs of said improvements or purposes, the Township reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is

available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Township for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion: Table Item 7

Motion Made By: Thomas Nivison

Seconded: James Quinlisk

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	No
Council Member Lobman	No
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	No
Council President Coleman	No

Motion: Close Public Comment

Motion Made By: Justin Lamb

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Motion: Approve Item 7

Motion Made By: Lynne O'toole

Seconded: Justin Lamb

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Public Comment:

(name inaudible) - Said he is opposed to this ordinance due to "not having the money"

Irene Watson, Messenger St- brought up commercial companies trying to purchase the Boatworks property for years. Mentioned the 1979 waterfront plan and said she does not want big buildings downtown

Eric Munez, Yorkshire Drive- in favor of purchasing property but wanted to know about "due diligence"

Mayor Rodrick responded- stated that there was an environmental study done on the property and it came back clean, explains process of purchasing the property *(Discussion among council, mayor, and town attorneys concluding that the purchase was contingent upon a clean environmental study)*

DJ Skopolitous- wanted to know why it is important to be expedited so rapidly
Mayor Rodirck responded- stated we want to accomplish the bulldozing by the summer and start thinking about plans and to prevent another developer from purchasing the property
(Council discussion about voting and property)

Jim Wright Ethan Ct- wanted to know why the meeting was happening now

Liz Dorek, Pheasant Ln- wanted to know that would happen to the bond if the environmental study came back bad, council answered that the township would not borrow the money

Carlos Alazar, Winniham- said he wished council would get along better, claimed government is not working for the people

Paul Williams, Broad St- wanted to know about contracts and permission to enter into contracts

Motion to Close Public Comment:

Motion made by- Councilman Lamb
Seconded by- Councilman Lobman

8. **ORDINANCE** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Acquisition, By Purchase, Of Block 668, Lot 13 (1 Robbins Parkway) 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

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ACQUISITION, BY PURCHASE, OF BLOCK 668, LOT 13, (1 ROBBINS PARKWAY) 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

WHEREAS, the Mayor and Township Council of the Township of Toms River wish to acquire for public purposes, Block 668, Lot 13, (1 Robbins Parkway), as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey; and **WHEREAS**, the Mayor and Township Council believe that this acquisition would be in the best interest of the Township of Toms River;

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

1. The Mayor and Township Council of the Township of Toms River authorize the acquisition of, Block 668, Lot 13, (1 Robbins Parkway), as identified on the Official Tax Map of the Township of Toms River, Ocean County, New Jersey.
2. The total purchase price for the parcel acquired shall not exceed the sum of \$1,850,000.
3. The Township of Toms River is empowered by N.J.S.A. 40A:12-5, et seq. to acquire lands or rights therein by purchase. The appropriate Township Officials are authorized to execute any and all documents necessary to complete the purchase.
4. If necessary, the Mayor is authorized to expend funds for any other necessary expert analysis, engineering or other professional service as may be required to acquire the Property.
5. Should any section, paragraph, sentence or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and to his end the provisions of this ordinance are hereby declared severable.
6. 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.
7. Since this ordinance is not legislative in nature, it need not be codified.

Motion: Approve Item 8

Motion Made By: Lynne O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	No
Council Member Lamb	Yes
Council Member Lobman	Yes

Council Member Nivison	Yes
Council Member Quinlisk	No
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Public Comment:

Gentleman who spoke previously- strongly opposes the ordinance, brings up township getting into debt, and it should be available for private entities to purchase

Mayor- responds citing himself voting against overdevelopment. Mentioned it being a prime location for a park and that the owner of the property said they will demolish the building. Explains how the township borrows money and pays off debt all of the time. Says this is accounted for in the budget with a 0% tax increase. Mentions a potential tiki bar, boat slips, and sprinkler parks

Paul Stenzel- wants to know why township has always felt the need to build. Wants more open space and nature. Cites Sandy flooding. Speaks to Council President about meetings.

Phil Brilliant 79 Hollytree Ln- wanted to "correct the record" about lot number. Discusses open space money and cites Manasquan. Suggests to not do construction in the summertime. Cited another citizen knowing details of the plans.

Mayor responds- bringing up different newspapers and Open Space Tax, brings up Immanent Domain purchases

Council President- mentions that any plans discussed are not concrete

Irene Watson Messenger St- discussed potential parking garage in Huddy Park.

Motion to Close Public Comment- Motioned by Councilwoman O'Toole, Seconded by Councilman Nivison

Resolutions

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.

No consent agenda

9. Consent Items

Reports

Approval of Bills

The Township attorney asked for Approval of the Bills

Motion: Approve Bill List

Motion Made By: Lynne O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Abstained
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

The following abstentions were made:

Councilman Lamb abstained from:

Purchase Order 24-03557 in the amount of \$6,619.23 payable to Magistrate Salaries

Councilman Quinlisk abstained from:

Purchase Order 24-02849, 24-03483, 24-03631 in the amount of \$14,725.63 payable to Remington & Vernick

Council President Coleman abstained from:

Purchase Order 24-01974 in the amount of \$4,992.12 payable to Preferred Behavioral Health

Elected Official's Comments

Councilman Lobman- reaffirmed his vote for purchasing the land

Councilman Quinlisk- condemned the President Trump assassination attempt. Thanked Chief Little and the first responders for their response to the hostage situation in Toms River. Reminds everyone of the Toms River Little League girls softball advancing in the tournament

Councilman Nivison- wanted to encourage council to "think more independently" and apologized for his outburst earlier in the meeting

Councilman Ciccozzi- criticized the meeting as a whole, brought up meetings being on the website

Councilwoman O'Toole- said she was pleased to see that the ordinances were passed today, does not want to see high rises in downtown, condemned Trump assassination attempt, said how scary the world is

Councilman Coleman- No comment

Mayor Rodrick- condemned Trump assassination attempt, said thought and prayers are with him and the other victims of the shooting. Thanked the council for voting on this ordinance. Mentions plans to appeal the downtown redevelopment plan. Restated it was a big step forward and thanks the council again

Councilman Lamb- condemned political violence, stated that Toms River voters know exactly what they want- safer streets, timely EMS service, and they do not want skyscrapers and parking garages.

Public Comments

Phil Brilliant, 79 Holly Tree Lane - Spoke about Clerk Mike Cruoglio resigning. He said we lost a key team player of Toms River, as he was a loyal & hardworking employee since the beginning, wished him well with future endeavors

Brian (B2 Consulting Group, Manalapan)- Spoke about a resident's dog escaping last month, said they attempted to reach out to township but animal control was off duty over the weekend & the dog ended up getting hit by a car on parkway. Discussed animal control and his organization

Mayor Rodrick- responded by saying the town has 24/7 animal control services, call police dept, PD will connect to animal control on duty. just dial 911

Brian (B2 Consulting Group, Manalapan)- responded said based off of conversations with multiple residents, that is inaccurate.

Motion: Close Public Comment

Motion Made By: Lynne O'Toole

Seconded: George Lobman

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

Executive Session

There was no need for an executive session.

No other business appearing, the meeting was **adjourned** at 4:19pm.

Motion: Adjourn Meeting
Motion Made By: Lynne O'Toole
Seconded: Tom Nivison

Roll Call:

Council Member Ciccozzi	Yes
Council Member Lamb	Yes
Council Member Lobman	Yes
Council Member Nivison	Yes
Council Member Quinlisk	Yes
Council Vice-President O'Toole	Yes
Council President Coleman	Yes

EXHIBIT W



Philip Brilliant <mrpib13@gmail.com>

Animal Shelter Referendum

Philip Brilliant <mrpib13@gmail.com>

Mon, Jul 22, 2024 at 8:19 AM

To: Greg McGuckin <GMcGuckin@dmmlawfirm.com>

Cc: Peter Pascarella <ppascarella@tomsrivertownship.com>, Craig Coleman <ccoleman@tomsrivertownship.com>, Daniel Rodrick <drodrick@tomsrivertownship.com>, Thomas Nivison <tnivison@tomsrivertownship.com>, Christopher Raimann <chrisraimann@hotmail.com>, Dana <dtderome@gmail.com>, Philip Brilliant <mrpib13@gmail.com>

Bcc: Karen Wall <karen.wall@patch.com>, "Mikle, Jean" <jmikle@gannettnj.com>

Dear Mr. McGuckin:

In light of the departure of the Township Clerk, Mr. Cruoglio, I am addressing this correspondence to yourself on behalf of the Animal Shelter Petition Committee that successfully protested and stayed the Township Council Ordinance to lease and turn operations of the Animal Shelter to the Ocean County Board of Health. To remind you, on May 31, 2024 the Township Clerk issued a letter stating that based upon his review more than 3,079 registered voters signed the petition and on June 26, 2024 he presented his findings to the Council starting the 20 day clock for the Council or Committee to take action otherwise "it will be submitted to appear on a ballot as a question for the voters at a future election."

The Committee requested a meeting of Council President Coleman so that there could be a discussion with a potential mutually beneficial outcome resulting in the withdrawal of the Protest of the Petition and saving the taxpayers the cost of an election and returning the needed animal control services to Toms River, however Mayor Rodrick responded that he had "absolutely zero interest in meeting with you. You bring nothing to the table," followed by a tirade of insults to myself. As such, the 20 days have passed and we the Committee are interested in the plans for the referendum vote. NJSA 40:69A-192 states, "Any ordinance to be voted on by the voters in accordance with section 17-36 or section 17-42 of this act (C.40:69A-185 or C.40:69A-191) shall be submitted at the next general or regular municipal election occurring not less than 40 days after the final date for withdrawal of the petition as provided for in section 17-42 of this act (C.40:69A-191), provided that if no such election is to be held within 90 days the council shall provide for a special election to be held not less than 40 nor more than 60 days from the final date for withdrawal of the petition as provided for in section 17-42 (C.40:69A-191) of this act." The understanding of this section to us is since the general election is greater than 90 days from July 16, 2024 (the 20th day after the June 26, 2024 meeting), then the referendum vote must be between 40 and 60 days, or August 5, 2024 and August 25, 2024.

Can you please review and confirm the same and possibly present your findings at the July 24, 2024 Council meeting so that the residents of Toms River Township are aware.

Thank you,

Philip Brilliant
Councilman Thomas Nivison
Dana Tormollan
Chris Raimann
Andrewa Raimann

--

Philip I. Brilliant

EXHIBIT X



Philip Brilliant <mrpib13@gmail.com>

Animal Shelter Referendum

Philip Brilliant <mrpib13@gmail.com>

Mon, Jul 29, 2024 at 3:07 PM

To: Greg McGuckin <GMcGuckin@dmmmlawfirm.com>

Cc: Peter Pascarella <ppascarella@tomsrivertownship.com>, Craig Coleman <ccoleman@tomsrivertownship.com>, Daniel Rodrick <drodrick@tomsrivertownship.com>, Thomas Nivison <tnivison@tomsrivertownship.com>, Christopher Raimann <chrisraimann@hotmail.com>, Dana <dtderome@gmail.com>

Bcc: "Mikle, Jean" <jmikle@gannettnj.com>, Karen Wall <karen.wall@patch.com>

Good Afternoon,

I just wanted to move this up your email box, as I have not received a response and since the next Council meeting is actually after the 40th day from the last Council meeting at which time the Clerk presented his verification of the petition, an update on the pending referendum is appreciated.

Thank you,

Phil

[Quoted text hidden]

--

Philip I. Brilliant

EXHIBIT Y

TOMS RIVER TOWNSHIP, NJ



**TOWNSHIP COUNCIL AGENDA
Wednesday, August 7, 2024
3:30 PM**

1. **Meeting called to order.**
2. **Flag salute.**
3. **Open Public Meetings Act statement.**

ROLL CALL:

CICCOZZI	_____
LAMB	_____
NIVISON	_____
QUINLISK	_____
O'TOOLE	_____
COLEMAN	_____
LOBMAN	_____

5. **Minutes:**
6. **Honoring Resolutions and Presentations:**
 - a. Proclamation - Honoring The Members Of The Americans With Disabilities Act. These Members Are Committed To Ensuring That Toms River Citizens Fully Benefit From The Laws Entact By The ADA Mandate

Resolutions

7. **RESOLUTION** Of The Township Council Of The Township Of Toms River, County Of Ocean, State Of New Jersey Authorizing The Execution Of A Shared Services Agreement for the purpose of re-opening the Toms River Animal Shelter under the management and control of the Ocean County Board of Health.

Ordinances- First Readings

8. **Ordinance** Of The Township Council, Township Of Toms River, Ocean County, New Jersey, Repealing Ordinance No. 4802-24 Of The Township Code Of The Township Of Toms River Titled "Authorizing The Mayor To Execute And The Township Clerk To Attest To A Lease Agreement Between The Township Of Toms River And The Ocean County Board Of Health Authorizing The Leasing Of Certain Municipal Property Pursuant To N.J.S.A. 40A:12-14(B)"

Ordinances - Final Readings

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.

9. Consent Items
 - a. **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 Certain Properties To Be Canceled And/Or Refunded
 - b. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Renewal Of Massage Business Licenses
 - c. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Award Of Open-Ended Contracts For The Furnishing, Delivery And Service Of Snow Plow Repair Parts Rebid, To Norcia Corporation And Tony Sanchez Ltd
 - d. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Mayor And Business Administrator To Authorize The Submission Of The Grant Application For Governor'S Council On Substance Use Disorder (Fiscal Grant Cycle October 2020 - June 2025 Form 1B)
 - e. **RESOLUTION** Of The Township Of Council Of The Township Of Toms River, Ocean County, New Jersey, For Approval To Submit A Grant Application And Execute A Grant Contract With The New Jersey Department Of Transportation For The Improvements To Windsor Avenue From Fischer Boulevard To Coolidge Avenue
 - f. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Acknowledging With Gratitude And Acceptance The Local Efficiency Achievement Program (Leap) Grant Award Of \$171,000.00 From The Department Of Community Affairs, Division Of Local Government Services, And Authorize The Business Administrator/Acting Cfo To Execute The Grant Agreement With The Department Of Community Affairs On Behalf Of The Township Of Toms River And The Borough Of Island Heights, To Fund The Shared Service With The Borough Of Island Heights For Solid Waste Collection & Disposal
 - g. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey, Authorizing The Township To Cancel The Contract With Castaway Kitchen, Llc, For The Lease Of The Concession At The Snug Harbor Pool, Due To Breach Of Contract

- h. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Adoption And Use Of Township Procurement Cards (P-Cards) In Accordance With Certain Policies And Procedures
- i. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Change Order No. 2 With Procomm Systems Inc., For Various Monopole Projects, In The Total Maximum Amount Not To Exceed \$26,283.00
- j. **RESOLUTION** Of The Township Council Of The Township Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Supply Of Polyliners (Bid-2024-160), To Central Poly-Bag Corp., Imperial Bag & Paper Co., Interboro Packaging Corp., And Unipak Corp., As The Lowest, Responsive, Responsible Bidders, Meeting All The Bid Specifications
- k. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Award Of Open-Ended Contracts For The Provision Of Microfilm Services (Bid-2024-161) For The Office Of Construction & Inspection Services, Tax Collector, And Various Departments, As Needed, To Alternative Micrographics Inc., Capital Typing, Court Record & Data Management Services, Inc. And Hudson Community Enterprises, Who Meet All The Bid Specifications, For A Period Of Twenty-Four (24) Consecutive Months, Effective September 26, 2024 Through September 25, 2026
- l. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Subdivision Known As Block 173, Lot 5,11,12 And 46 (1815 Lakewood Road)
- m. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 187, Lot 1-5 And 11-40 (Hickory Street)
- n. **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 1099.41, Lot 23-29 (Dewey Drive & Central Avenue)
- o. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Site Plan Known As Block 506.02, Lot 13.05 (Saint Catherine Boulevard & Route 37)
- p. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Minor Site Plan Known As Block 613, Lot 27 (801 Main Street)
- q. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean

County, New Jersey, Accepting Performance Guarantees For A Minor Subdivision Known As Block 794.17, Lot 30 And 31 (126 Lillie Road)

- r. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Subdivision Known As Block 135.01, Lot 7 (Massachusetts Avenue)
- s. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Accepting Performance Guarantees For A Major Subdivision Known As Block 410, Lot 30.02 (Whitty Road)
- t. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Site Plan Application To Be Submitted To The Toms River Planning Board For St. Joseph's Catholic Cemetery And Mausoleums Pursuant To N.J.S.A. 45:27-25(A)
- u. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing Closeout Of The 2022 Roadway Elevation – Windsor, Aldo, Silver Bay And Bay Point Project With Green Construction, Inc., Authorizing Release Of Retainage, Releasing Performance Bond, Acceptance Of Maintenance Bond, And Authorizing Final Payment To Contractor In The Amount Of \$101,937.34
- v. **Resolution** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Mayor's Appointment Of John Mele, To Serve As The Township Engineer, And The Director Of The Department Of Community Development Of The Township Of Toms River, Effective July 1, 2024
- w. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Consenting To The Mayor's Appointment Of Frederick L. Perrine, Jr., To Service As Director Of The Department Of Recreation Of The Township Of Toms River, Effective June 3, 2024
- x. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Appointing Stephen A. Hensel As Acting Municipal Clerk Of The Township Of Toms River, Retroactive To July 20, 2024 Through July 20, 2025, Pursuant To N.J.S.A. 40A:9-133 (C).
- y. **RESOLUTION** Of The Township Council Of The Township Of Toms River, Ocean County, New Jersey, Authorizing The Issuance Of A Permit Pursuant To N.J.S.A. 21:3-3 To Garden State Fireworks Inc., To Conduct Fireworks Displays At Shelter Cove On July 24, 2024, August 7, 2024, August 14, 2024 And August 21, 2024, From 9:00 P.M. To 9:30 P.M.

Reports

10.	Building Department	2024	2023
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Building Permits - July	\$227,146.00	\$271,109.00
Building Permits - YTD through July	\$1,932,488.00	\$2,178,738.00
Recreation Department	2024	2023
Bey Lea Golf Course- July	\$313,336.90	\$298,278.52
Bey Lea Golf Course- YTD through July	\$1,367,200.67	\$1,269,577.71
Winding River Ice Rink- July	\$39,589.99	\$39,770.99
Winding River Ice Rink- YTD through July	\$669,968.96	\$660,748.03
Beach Badge Sales- Through 7-26-2024	\$583,171.00	\$545,709.00
Pool Badge Sales- Through 7-26-2024	\$62,470.00	\$58,188.00

Approval of Bills

Elected Official's Comments

Public Comments

Executive Session

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE
EXECUTION OF A SHARED SERVICES AGREEMENT FOR THE
PURPOSE OF RE-OPENING THE TOMS RIVER ANIMAL SHELTER
UNDER THE MANAGEMENT AND CONTROL OF THE OCEAN
COUNTY BOARD OF HEALTH**

AUGUST 7, 2024

WHEREAS, the Township of Toms River pursuant to the Uniform Shared Services Act, N.J.S.A. 40A:65-1 et seq., wishes to enter into a Shared Services Agreement with the Ocean County Board of Health for the operation of the Township's Animal Shelter located in Toms River on a portion of Lot 11, in Block 573 as shown on the Official Tax Maps of Toms River Township; and

WHEREAS, the proposed Shared Services Agreement is on file with the Office of the Municipal Clerk with the Township of Toms River; and

WHEREAS, a Shared Services Agreement may be authorized by resolution of the respective public entities entering into same; and

WHEREAS, the Township's taxpayers currently pay for animal shelter services to the County of Ocean as do all other taxpayers within Ocean County; and

WHEREAS, it is appropriate for the taxpayers of Toms River to have the County of Ocean provide for such services to the residents of Toms River in the same manner they provide to all other residents of Ocean County; and

WHEREAS, the Ocean County Board of Health is the agency responsible for the operation of animal shelters on behalf of the County of Ocean;

NOW, THEREFORE, BE IT RESOLVED this 7TH day of August, 2024, by the Township Council of the Township of Toms River in the County of Ocean, State of New Jersey as follows:

1. The Council hereby authorizes the execution of a Shared Services Agreement between the Township of Toms River and the Ocean County Board of Health for the provision of animal shelter services at the Toms River Township Animal Facility.
2. The Mayor, Township Clerk and such other Township Officials as may be deemed necessary are hereby authorized to execute any and all documents necessary to implement the intent of this resolution.

**DASTI, McGUCKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 W. LACEY ROAD
FORKED RIVER, N.J. 08731
08731

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the following:

1. Daniel T. Rodrick, Mayor
2. Township Council
3. Ocean County Board of Health
4. Jon Salonis, Township Administrator
5. Township Attorney
6. Human Services
7. Purchasing Div.
8. Acting Chief Financial Officer

L-August 7, 2024-29-Shared Services OC Board of Health-Animal Shelter

CERTIFICATION

I, Angela Del Vecchio, Deputy Municipal Clerk of the Township of Toms River, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Township Council of the Township of Toms River at its meeting held on August 7, 2024.

Approved as to Legal Form:

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

**DASTI, McGUCKIN,
McNICHOLS, CONNORS,
ANTHONY & BUCKLEY**

COUNSELLORS AT LAW

620 W. LACEY ROAD
FORKED RIVER, N.J. 08731
08731

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

ORDINANCE OF THE TOWNSHIP COUNCIL, TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, REPEALING ORDINANCE NO. 4802-24 OF THE TOWNSHIP CODE OF THE TOWNSHIP OF TOMS RIVER TITLED “AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF TOMS RIVER AND THE OCEAN COUNTY BOARD OF HEALTH AUTHORIZING THE LEASING OF CERTAIN MUNICIPAL PROPERTY PURSUANT TO N.J.S.A. 40A:12-14(B)”

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

SECTION 1. Purpose. Ordinance 4802-24 authorized the Township to lease certain municipal property, known as the Toms River Animal Shelter, to the Ocean County Board of Health for it to operate the shelter. It is the intention and purpose of this Ordinance to repeal Ordinance No. 4802-24.

SECTION 2. This Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor and twenty (20) days after publication as required by law.

SECTION 3. All Ordinances or parts of Ordinances which are inconsistent herewith are repealed, but only to the extent of the inconsistency.

SECTION 4. If part of this Ordinance is invalidated for any reason by a court of competent jurisdiction, that part is severed and the remaining portion shall remain in full force and effect.

L-Aug 7, 2024-31 ORD REPEALING ORD #4802-24

DANIEL T. RODRICK
MAYOR

CRAIG COLEMAN
COUNCIL PRESIDENT

Final Passage:

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 819 LOT 3 EFFECTIVE May 13, 2024, AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED

August 7, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 819 Lot 3, located at 439 Barnegat Avenue, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective May 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 819 Lot 3 due on or after May 13, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 819 Lot 3, if any, shall be refunded on a pro-rated basis from May 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

**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 710 LOT 168.03 EFFECTIVE FEBRUARY 26, 2024,
AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

August 7, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 710 Lot 168.03, located at 212 Keats Avenue, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective February 26, 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 710 Lot 168.03 due on or after February 26, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 710 Lot 168.03, if any, shall be refunded on a pro-rated basis from February 26, 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

**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 1462.15 LOT 9 EFFECTIVE JANUARY 1, 2024,
AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

August 7, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 1462.15 Lot 9, located at 1853 Compass 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 1462.15 Lot 9 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 1462.15 Lot 9, 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

ANGELA DELVECCHIO
DEPUTY 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 1501.11 LOT 5 EFFECTIVE JANUARY 1, 2024,
AND PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

August 7, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 1501.11 Lot 5, located at 902 Neville Street, 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 1501.11 Lot 5 due on or after January 1, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 1501.11 Lot 5, 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

ANGELA DELVECCHIO
DEPUTY 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 232.16 LOT 36 EFFECTIVE MAY 23, 2024, AND
PROVIDING THAT PROPERTY TAXES FOR 2024, AS OF THE
EFFECTIVE DATE, BE CANCELLED AND/OR REFUNDED**

August 7, 2024

WHEREAS the owner of real property in the Township of Toms River known as Block 232.16 Lot 36, located at 190 Pinewood Road, has been certified by the Tax Assessor as a of a 100% Disabled Veteran, effective May 23, 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 232.16 Lot 36 due on or after May 23, 2024, shall be cancelled.
2. All real property taxes from the date of this Resolution paid on Block 232.16 Lot 36, if any, shall be refunded on a pro-rated basis from May 23, 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

ANGELA DELVECCHIO
DEPUTY TOWNSHIP CLERK

RESOLUTION

August 7, 2024

WHEREAS, the following application for

Massage business licenses have been made under the

Provisions of Ordinance numbers 1606 and 1682:

MESSAGE BUSINESS

13-24 New Harmony Spa
708 Fischer Blvd
Toms River, NJ 08753
(Change in owner)

WHEREAS, said applicants have complied with all the

requirements of Ordinance numbers 1606 and 1682, Chapter 357,

of the "Code of the Township of Toms River, New Jersey," with

respect to licensing; and

WHEREAS, the appropriate licensing fee has been paid

To the Township of Toms River;

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. The Township Clerk is hereby authorized to issue the licenses listed in the preamble hereof.
2. A certified copy of this resolution shall be provided by the Office of the Township Clerk to each of the following:
 - a. Attorney
 - b. Chief of Police
 - c. Code Enforcement
 - d. Applicants listed above

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
AWARD OF OPEN-ENDED CONTRACTS FOR THE FURNISHING,
DELIVERY AND SERVICE OF SNOW PLOW REPAIR PARTS REBID,
TO NORCIA CORPORATION AND TONY SANCHEZ LTD**

AUGUST 7, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award a contract for the Furnishing, Delivery and Service of Snow Plow Repair Parts Rebid; and

WHEREAS, two (2) bids for Snow Plow Repair Parts rebid were received on May 30, 2024 from the following vendors:

Norcia Corporation	Tony Sanchez LTD
451 Blackhorse Lane	1685 Rt. 46
North Brunswick Twp., NJ 08902	Ledgewood, NJ 07852

WHEREAS, the bids have been reviewed by the Purchasing Division and utilizing departments, and they have recommended that the award of open-ended contracts be made to Norcia Corporation and Tony Sanchez LTD, as follows:

Norcia Corporation – for line items: 4, 5, 6, 7, 8, 9, 10, 13, 14, 23, 25, 27, 29, 33, 41 and 42.

Tony Sanchez LTD – for line items: 1, 2, 19, 20, 21 and 39.

The following line items received no bids and will be solicited through negotiations: 11, 12, 15, 16, 17, 18, 31, 32, 35, 36, 37 and 38.

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

1. It hereby awards open-ended contracts for the Furnishing, Delivery and Service of Snow Plow Repair Parts Rebid to Norcia Corporation and Tony Sanchez LTD, as follows:

Norcia Corporation – for line items: 4, 5, 6, 7, 8, 9, 10, 13, 14, 23, 25, 27, 29, 33, 41 and 42.

Tony Sanchez LTD – for line items: 1, 2, 19, 20, 21 and 39.

2. The following line items received no bids and will be solicited through negotiations: 11, 12, 15, 16, 17, 18, 31, 32, 35, 36, 37 and 38.

3. The Term of Contract shall commence August 7, 2024 for a period of twenty-four (24) consecutive months. These 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.

4. Pursuant to N.J.S.A. 40A:11-15, these contracts may be extended for up to two (2) additional one-year terms, or one (1) additional two-year term after expiration of 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 remain the same. Any price changes authorized on contract extensions shall be pursuant to N.J.S.A. 40A:11-15.

5. The method of award shall be based on the Lowest Hourly Rate submitted on the Bid Table.

6. 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.

7. 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) Public Works
- e) Division of Parks, Buildings and Grounds
- f) Norcia Corporation
451 Blackhorse Lane
North Brunswick Twp., NJ 08902
- g) Tony Sanchez LTD
1685 Rt. 46
Ledgewood, NJ 07852

L-Aug 7, 2024-05 Reso auth award of contract for Furnishing Delivery and Service of Snow Plow Repair Parts Rebid

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE
MAYOR AND BUSINESS ADMINISTRATOR TO AUTHORIZE THE
SUBMISSION OF THE GRANT APPLICATION FOR
GOVERNOR'S COUNCIL ON SUBSTANCE USE DISORDER
(FISCAL GRANT CYCLE OCTOBER 2020 - JUNE 2025 FORM 1B)**

AUGUST 7, 2024

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989/Governor's Council on Substance Use Disorder, to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages, and therefore has an established Municipal Alliance Committee; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey, further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the Township Council of the Township of Toms River, County of Ocean, State of New Jersey has applied for funding through the Governor's Council on Substance Use Disorder;

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

1. The Township Council of the Township of Toms River, does hereby authorize the submission of a strategic plan for the Toms River Municipal Alliance grant for the Fiscal year 2025 in the amount of:

GCSUD FUNDING: \$26,033.00

CASH MATCH: \$ 6,508.25

IN-KIND: \$19,524.75

July 1, 2024-June 30, 2025

2. The Township Council of the Township of Toms River acknowledges the terms and conditions for administering the Municipal Alliance Grant, including the administrative compliance and audit requirements.

3. 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) Certified Financial Officer
- f) Human Services
- g) Municipal Alliance

Approved: _____

Daniel T. Rodrick
Mayor

CERTIFICATION

I, Angela Del Vecchio, Deputy Municipal Clerk of the Township of Toms River, County of Ocean, State of New Jersey, do hereby certify that the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this ____ day of _____, 2024.

Angela Del Vecchio, Deputy Municipal Clerk

L-Aug 7, 2024-07 Drug & Alcohol

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

TOWNSHIP OF TOMS RIVER

**RESOLUTION OF THE TOWNSHIP OF COUNCIL OF THE
TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, FOR
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A
GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE IMPROVEMENTS TO WINDSOR
AVENUE FROM FISCHER BOULEVARD TO COOLIDGE AVENUE**

AUGUST 7, 2024

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

BE IT FURTHER RESOLVED that the Mayor and Deputy Township Clerk are hereby authorized to submit an electronic grant application identified as MA-2025-FY2025 NJDOT Municipal Aid Improvements-00466-Improvements to Windsor Avenue, to the New Jersey Department of Transportation on behalf of the Township of Toms River;

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

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

- a) Mayor Daniel T. Rodrick
- b) Township Council
- c) Township Attorney
- d) Acting Chief Financial Officer
- e) Township Engineer
- f) Department of Transportation
State of New Jersey
PO Box 600
Trenton, NJ 08625-0600

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

ANGELA DEL VECCHIO
DEPUTY TOWNSHIP CLERK

My signature and the Deputy Township Clerk's seal serve to acknowledge the above
resolution and constitute acceptance of the terms and conditions of the grant
agreement and approve the execution of the grant agreement as authorized by the
resolution above.

ATTEST and AFFIX SEAL _____
(Deputy Township Clerk) (Presiding Officer)

L-Aug 7, 2024-12 Mutual Aid Windsor

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY,
ACKNOWLEDGING WITH GRATITUDE AND ACCEPTANCE THE
LOCAL EFFICIENCY ACHIEVEMENT PROGRAM (LEAP) GRANT
AWARD OF \$171,000.00 FROM THE DEPARTMENT OF
COMMUNITY AFFAIRS, DIVISION OF LOCAL GOVERNMENT
SERVICES, AND AUTHORIZE THE BUSINESS
ADMINISTRATOR/ACTING CFO TO EXECUTE THE GRANT
AGREEMENT WITH THE DEPARTMENT OF COMMUNITY
AFFAIRS ON BEHALF OF THE TOWNSHIP OF TOMS RIVER AND
THE BOROUGH OF ISLAND HEIGHTS, TO FUND THE SHARED
SERVICE WITH THE BOROUGH OF ISLAND HEIGHTS FOR
SOLID WASTE COLLECTION & DISPOSAL**

AUGUST 7, 2024

WHEREAS, the State of New Jersey has allocated \$3.275 million in Local Efficiency Achievement Program (LEAP) funds to promote shared service initiatives among peer local units across New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, LEAP Implementation Grants provide reimbursement for qualifying expenses incurred in the implementation of a local or regional service agreements, or for the coordination of programs and services authorized under the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.); and

WHEREAS, the LEAP Implementation Grant exists to help cover costs associated with shared services implementation - - including one-time reimbursable costs for project completion or transition support for municipalities and counties; and

WHEREAS, the Township of Toms River has agreed to be the lead agency in this program; and

WHEREAS, the Governing Body of the Township of Toms River is acknowledging and accepting the responsibility of acting as administrator for this grant on behalf of all participating local units; and

WHEREAS, the Governing Body of the Township of Toms River received a Notice of Award from the Department of Community Affairs, Division of Local Government Services (DLGS) its eligibility to receive a LEAP Grant in the amount of \$171,000.00; and

WHEREAS, the purpose of the award is to provide funding to the Borough of Island Heights for Solid Waste Collection & Disposal; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Toms River, that the Governing Body does hereby accept the award of \$171,000.00, to fund the shared service with the Borough of Island Heights for Solid Waste Collection & Disposal.

BE IT FURTHER RESOLVED that the Business Administrator/Acting Chief Financial Officer of the Township of Toms River be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the Township of Toms River and the Borough of Island Heights, and upon execution of said Agreement, the Township of Toms River does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

CERTIFICATION

I, Jonathan Salonis, (Business Administrator/Acting CFO) of the Township of Toms River in the County of Ocean and the State of New Jersey do hereby Certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Governing Body at its meeting of August 7, 2024.

JONATHAN SALONIS
Business Administrator / Acting CFO

A certified copy of this resolution shall be provided by the Office of the Township

Clerk to each of the following:

- a) Mayor Daniel Rodrick
- b) Business Administrator
- c) Township Attorney
- d) Township Clerk
- e) Grant Administrator
- f) Police Department
- g) Borough of Island Heights
- h) Dept. of Community Affairs
Division of Local Government Services

L-Aug 7, 2024-08 Reso acknowledging and accepting the LEAP grant award of \$171,000.00 with gratitude and acceptance

Approved as to Legal Form:

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

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO CANCEL THE CONTRACT WITH CASTAWAY KITCHEN, LLC, FOR THE LEASE OF THE CONCESSION AT THE SNUG HARBOR POOL, DUE TO BREACH OF CONTRACT

AUGUST 7, 2024

WHEREAS, by resolution of the Township Council dated August 23, 2023, the Township awarded the second and final one (1) year extension of the contract to Castaway Kitchen LLC, for the lease of the concession at the Snug Harbor Pool; and

WHEREAS, after multiple conversations between the vendor and various Township employees, the vendor stated that he was no longer interested in providing the service to the Township because the Township raised the membership rates for the 2024 pool season, and he would not be able to make any money; and

WHEREAS, on June 27, 2024, Rick Perrine, the Director of Recreation, Parks, Buildings & Grounds, sent Mr. Taylor of Castaway Kitchen LLC a letter notifying him of his breach of contract; and

WHEREAS, the Township Council has determined that it would be in the best interest of the Township to cancel the contract with Castaway Kitchen, LLC., due to breach of contract, effective immediately;

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

1. The contract with Castaway Kitchen, LLC to operate the concession at the Snug Harbor Pool, and all subsequent resolutions, are hereby cancelled and declared null and void, due to breach of contract, effective immediately.

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) Acting Chief Financial Officer
- e) Township Attorney

- f) Purchasing Division
- g) Recreation Dept., attn: Rick Perrine, Director
- h) Robert Taylor
Castaway Kitchen, LLC
990 Cedarbridge Avenue
Suite B7-216
Brick, NJ 08723

L-Aug 7, 2024-10 Cancel contract Castaway Kitchen

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
THE ADOPTION AND USE OF TOWNSHIP PROCUREMENT CARDS
(P-CARDS) IN ACCORDANCE WITH CERTAIN POLICIES AND
PROCEDURES**

AUGUST 7, 2024

WHEREAS, the Division of Purchasing requests authorization to use Township Procurement Cards (P-Card); and

WHEREAS, N.J.S.A. 40A:5-16(c) and N.J.A.C. 5:30-9A govern the use of P-cards and outline the circumstances when procurement cards can be used;

WHEREAS, the Township Administrator shall designate who is authorized to use a P-Card. Authorized cardholders shall comply with all policies specified in the Procurement Card Policies and Procedures attached hereto, and all other requirements set forth by the Township, as applicable by law; and

WHEREAS, the use of the P-Card must comply with the Local Public Contracts Law and any Township policies. Unauthorized or inappropriate use of the P-Card shall result in cancellation of the P-Card and shall subject the cardholder to disciplinary action, inclusive of possible termination of employment and criminal prosecution; and

WHEREAS, the Acting/Chief Financial Officer shall be responsible for the overall oversight of the P-Card program; and

WHEREAS, the Purchasing Agent shall be designated as the Program Manager, pursuant to Local Finance Notice 2018-13, and shall be responsible for day-to-day oversight and management of supervisory review of P-Card usage, in accordance with the policy and the Local Public Contracts Law;

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. The Division of Purchasing is authorized to adopt and use Township Procurement Cards (P-Cards) for goods and services in accordance with certain policies and procedures attached hereto as Schedule "A", and all other requirements set forth by the Township as applicable by law, pursuant to N.J.S.A. 40A:5-16(c) and

N.J.A.C. 5:30-9A which govern the use of P-Cards, and outline the circumstances when P-Cards can be used.

2. The Township Administrator shall designate who is authorized to use a P-Card. Authorized cardholders shall comply with all policies specified in the Procurement Card Policies and Procedures attached hereto, and all other requirements set forth by the Township, as applicable by law.

3. The use of the P-Card must comply with the Local Public Contracts Law and any Township policies. Unauthorized or inappropriate use of the P-Card shall result in cancellation of the P-Card and shall subject the cardholder to disciplinary action, inclusive of possible termination of employment and criminal prosecution.

4. The Acting/Chief Financial Officer shall be responsible for the overall oversight of the P-Card program.

5. The Purchasing Agent shall be designated as the Program Manager, pursuant to Local Finance Notice 2018-13, and shall be responsible for day-to-day oversight and management of supervisory review of P-Card usage, in accordance with the policy and the LPCL.

6. 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) Business Administrator
- c) Township Council
- d) Township Attorney
- e) Acting Chief Financial Officer
- f) Division of Purchasing

L-Aug 7, 2024-13 Reso authorizing use of Township Procurement Cards

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

ANGELA DEL VECCHIO
ACTING MUNICIPAL CLERK

SCHEDULE "A"

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
CHANGE ORDER NO. 2 WITH PROCOMM SYSTEMS INC., FOR
VARIOUS MONOPOLE PROJECTS, IN THE TOTAL MAXIMUM
AMOUNT NOT TO EXCEED \$26,283.00**

AUGUST 7, 2024

WHEREAS, resolution of the Township Council dated September 14, 2022, authorized an award of contract to Procomm Systems Inc., as the lowest bidder meeting all the bid specifications, for the Toms River Various RF Monopole Projects, in the total contract amount not to exceed \$1,928,036.65; and

WHEREAS, resolution of the Township Council dated December 14, 2022, amended the resolution of September 14, 2022, due to a typographical error, the total maximum amount of the contract should have been \$1,958,036.65; and

WHEREAS, resolution of the Township Council dated December 19, 2023 authorized Change Order No. 1 with Procomm Systems Inc. for Toms River various RF Monopole Projects, for a net increase in the total maximum amount not to exceed \$210,894.76; and

WHEREAS, the Division of Purchasing is requesting authorization for a 2nd change order to the Monopole Construction;

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

1. Change Order No. 2 for labor and materials required to perform the fiber work requested at the DPW regarding the Monopole Construction. PCS will supply the labor to pull, terminate and test the above referenced cable from the shelter into the service room located in the DPW building.

Labor Total:	\$ 16,778.68
Material Total:	\$ 3,203.75
Subcontractor Total:	<u>\$ 6,300.57</u>
Total Cost:	\$ 26,283.00

DESCRIPTION OF CHANGE:

AS STATED ABOVE.

NET INCREASE: \$26,283.00

	<u>ADDITIONAL</u>	<u>REDUCTION</u>
Total Reduction This C.O.	\$	X
Total Extras This C.O.	\$ 26,283.00	X
Total Supplementary This C.O.	\$ 26,283.00	X
Total This C.O.	\$ 26,283.00	X
Previous Change Orders	\$ 210,894.76	
Total Change Orders to Date	\$ 237,177.76	
Net Change in Contract	\$237,177.76	
ORIGINAL CONTRACT BID PRICE		\$1,958,036.65
NEW CONTRACT PRICE		\$2,195,214.41

be and the same is hereby ratified and confirmed.

2. The aggregate of the amount of change order is still under the 20% allowance.

3. Funds for Change Order No. 2 in the amount of \$26,283.00, are available in Account No. X-04- -258-001.

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) Acting Chief Financial Officer
- b) Division of Engineering
- c) Township Attorney
- d) Division of Purchasing
- e) Procomm Systems Inc.
823 Uniontown Rd.
Phillipsburg, NJ 08865

L-Aug 7, 2024-19
Reso - Change Order 2

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 7th day of August, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE
AWARD OF OPEN-ENDED CONTRACTS FOR THE SUPPLY OF
POLYLINERS (BID-2024-160), TO CENTRAL POLY-BAG CORP.,
IMPERIAL BAG & PAPER CO., INTERBORO PACKAGING CORP.,
AND UNIPAK CORP., AS THE LOWEST, RESPONSIVE,
RESPONSIBLE BIDDERS, MEETING ALL THE BID
SPECIFICATIONS**

AUGUST 7, 2024

WHEREAS, the Division of Purchasing is requesting authorization to award contracts to various vendors for the Furnishing and Delivery of Polyliners; and

WHEREAS, bids were invited for the Furnishing and Delivery of Polyliners; and

WHEREAS, bids were received on July 16, 2024 from the following vendors:

ACJ&R Supply LLC
550 W. Ingham Ave.
Ewing, NJ 08636

Continental Trading
400 Delancey St.
Newark, NJ 07105

Plastic Express
667 Lehigh Ave.
Union, NJ 07083

Central Poly-Bag Corp.
2400 Bedle Place
Linden, NJ 07036

Imperial Bag & Paper Co.
Route 1/9
Jersey City, NJ 07306

Tiles in Style
1212 S. Naper Blvd.
Suite 119-109
Naperville, IL 60540

Unipak Corp.
PO Box 332
West Long Branch, NJ 07764

Interboro Packaging Corp.
114 Bracken Road
Montgomery, NY 12549

United Sales USA Corp.
502 14th Ave.
Brooklyn, NY 11232

WHEREAS, the bids have been reviewed by the Division of Purchasing and the utilizing departments, and it is recommended that contracts be awarded, as follows:

Central Poly-Bag Corp. – Item Nos.: 6 and 8.

Imperial Bag & Paper Co. LLC – Item Nos.: 5, 9, 10, and 11.

Interboro Packaging Corp. – Item Nos.: 2, 3, 4, and 12.

Unipak Corp.: Item Nos. 1 and 7.

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

1. It hereby awards open-ended contracts for the Furnishing and Delivery of Polyliners, as follows:

Central Poly-Bag Corp. – Item Nos.: 6 and 8.

Imperial Bag & Paper Co. LLC – Item Nos.: 5, 9, 10, and 11.

Interboro Packaging Corp. – Item Nos.: 2, 3, 4, and 12.

Unipak Corp.: Item Nos. 1 and 7.

2. The contracts shall commence September 25, 2024 for a period of twelve (12) consecutive months. These contracts 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 award of these contracts are subject to all the terms and conditions of the bid specifications.

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

4. The method of award shall be on a Per-Line Item Basis.

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) All Departments
- e) All aforementioned bidders

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
THE AWARD OF OPEN-ENDED CONTRACTS FOR THE PROVISION
OF MICROFILM SERVICES (BID-2024-161) FOR THE OFFICE OF
CONSTRUCTION & INSPECTION SERVICES, TAX COLLECTOR,
AND VARIOUS DEPARTMENTS, AS NEEDED, TO ALTERNATIVE
MICROGRAPHICS INC., CAPITAL TYPING, COURT RECORD &
DATA MANAGEMENT SERVICES, INC. AND HUDSON COMMUNITY
ENTERPRISES, WHO MEET ALL THE BID SPECIFICATIONS, FOR A
PERIOD OF TWENTY-FOUR (24) CONSECUTIVE MONTHS,
EFFECTIVE SEPTEMBER 26, 2024 THROUGH
SEPTEMBER 25, 2026**

AUGUST 7, 2024

WHEREAS, bids were invited for Microfilm Services (BID-2024-161) for the Office of Construction & Inspection Services, Tax Collector and various departments, as needed; and

WHEREAS, bids were received on July 16, 2024, as follows:

ALTERNATIVE MICROGRAPHICS, INC.
704 CHALLENGER WAY
FORKED RIVER, NJ 08731

CAPITAL TYPING
1657 SPUR BRANCH ROAD
WILLISTON, SC 29853

COURT RECORD & DATA MANAGEMENT SERVICES,
INC.
1300 FIRST STATE BLVD, SUITE H
WILMINGTON, DE 19804

HUDSON COMMUNITY
ENTERPRISES
68-70 TUERS AVENUE
JERSEY CITY, NJ 07306

WHEREAS, the bids have been reviewed by the Purchasing Division and utilizing departments, and recommendation has been made to award open-ended contracts to Alternative Micrographics Inc., Capital Typing, Court Record & Data Management Services, Inc. and Hudson Community Enterprises, who meet all the bid specifications, as follows:

Alternative Micrographics, Inc: 1, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 31.

Capital Typing: 3, 5, 25, 26, and 27.

Court Record & Data Management Services, Inc: 4, 28, 29, 30, and 32.

Hudson Community Enterprises: 2, and 8.

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

1. It hereby awards open-ended contracts for Microfilm Services for the Office of Construction & Inspection Services, Tax Collector and various departments,

as needed, to Alternative Micrographics Inc., Capital Typing, Court Record & Data Management Services, Inc. and Hudson Community Enterprises, who meet all the bid specifications. The contract terms shall commence September 26, 2024 for a period of twenty-four (24) consecutive months.

2. The method of award shall be based on a Per Line-Item Basis. These contracts 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.

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 these contracts 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) Building Department
- e) Tax Collector
- f) All Aforementioned Bidders

L-Aug 7, 2024-23

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 7th day of August, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MAJOR SUBDIVISION
KNOWN AS BLOCK 173, LOT 5,11,12 AND 46
(1815 Lakewood Road)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision known as Block 173, Lot 5, 11, 12 & 46.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # 4300152 in the amount of \$298,800.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Cash Bond in the amount of \$33,200.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Surety Bond # 4300153 in the amount of \$10,800.00 which represents the Safety & Stabilization guarantee amount.
- 4) Check in the amount of \$21,659.06 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Infinity Lane Holdings, LLC., successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River. Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Infinity Lane Holdings, LLC
1815 Lakewood Road
Toms River, NJ 08755

Approved as to Legal Form:



PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

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

ANGELA DEL VECCHIO
DEPUTY CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION
KNOWN AS BLOCK 187, LOT 1-5 AND 11-40
(Hickory Street)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 187, Lot 1-5 & 11-40.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # 100414522 in the amount of \$27,360.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Checks in the amount of \$3,040.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Surety Bond # 101169269 in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
- 4) Checks in the amount of \$1,520.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Hickory Estates, LLC, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River. Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Hickory Estates, LLC
1476 Towers Street
Lakewood NJ 08701

Approved as to Legal Form:



PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

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

ANGELA DEL VECCHIO
DEPUTY 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 1099.41, LOT 23-29 (Dewey Drive & Central Avenue)

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 1099.41, Lot 23-29.

WHEREAS, Maintenance Bonds have been posted as follows:

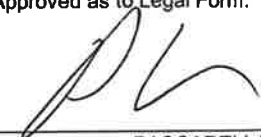
- 1) Cash Bond in the amount of \$2,950.00 on account # 4-14- -902-101 is hereby accepted and will remain on account to represent the Maintenance Cash Bond;

WHEREAS, the Township Engineer has recommended the release of the Performance Guarantees and the acceptance of the Maintenance Guarantees; NOW, THEREFORE, BE IT RESOLVED BY THE

TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, IN THE COUNTY OF OCEAN -295AND STATE OF NEW JERSEY, as follows:

- 1) Previously posted Cash Bond in the amount of \$26,550.00 on account # 4-14- -902-101, is hereby released with applicable interest if any to the new owner of the property by way of the attached assignment.
- 2) Maintenance Cash Bond listed in the preamble hereof be and the same is hereby retained;
- 3) Township Clerk shall send a certified copy hereof to each of the following:
 - a. Township Engineer
 - b. Chief Financial Officer
 - c. Township Attorney
 - d. Dewey OB Group LLC
1320 Boulevard
Seaside Heights NJ 08751

Approved as to Legal Form:


PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

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

ANGELA DEL VECCHIO
DEPUTY CLERK

ASSIGNMENT AGREEMENT

This assignment agreement (this "Assignment Agreement") is entered into as of O'Grady Beach House, LLC, a New Jersey Limited Liability Company (the "Assignor"), and Dewey OB Group, LLC., a New Jersey Limited Liability Company (the "Assignee").

WHEREAS, the Assignor wishes to transfer and assign to the Assignee all of the Assignor's rights and interests in and to, and obligations under, the Performance Bond that was paid for by Assignor to the Township of Toms River, and the Assignee wishes to be the assignee and transferee of such rights, interests and obligations;

NOW, THEREFORE, the parties hereto, intending to be legally bound, do hereby agree as follows:

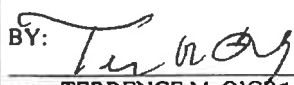

1. Assignment and Assumption. The Assignor hereby transfers and assigns to the Assignee, and the Assignee hereby acquires from the Assignor all of the Assignor's rights, and interests in the Toms River Performance Bond, and the Assignee hereby assumes and agrees to perform all obligations, duties, liabilities and commitments due under the performance bond.

2. Effectiveness. This Assignment Agreement shall be effective as of the date set first set forth above.

3. Governing Law: Binding Effect. This Assignment Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey applicable to contracts made and performed in such state without giving effect to the choice of law principles of such state that would require or permit the application of the laws of another jurisdiction.

5. Counterparts. This Assignment Agreement may be executed in one or more counterparts, including facsimile counterparts, each of which shall be deemed to be an original copy of this Assignment Agreement, and all of which, when taken together, shall be deemed to constitute one and the same agreement. Delivery of such counterparts by facsimile or electronic mail (in PDF or .tiff format) shall be deemed effective as manual delivery.

IN WITNESS WHEREOF, the Assignee and Assignor have executed this Assignment Agreement as of the date first set forth above.

ASSIGNOR: O'GRADY'S BEACH HOUSE, LLC BY:  TERRENCE M. O'GRADY	ASSIGNEE: DEWEY OB GROUP, LLC BY:  WILLIAM MORRISSEY
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**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MAJOR SITE PLAN KNOWN
AS BLOCK 506.02, LOT 13.05
(Saint Catherine Boulevard & Route 37)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Site Plan known as Block 506.02, Lot 13.05.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$4,500.00 which represents the performance guarantee amount.
- 2) Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
- 3) Check in the amount of \$780.10 which represents the escrow amount for inspection fees.

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

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. West Toms River Investors, LLC
661 University Boulevard, Suite 200
Jupiter FL 33458

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

ANGELA DEL VECCHIO
DEPUTY CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MINOR SITE PLAN KNOWN
AS BLOCK 613, LOT 27
(801 Main Street)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Site Plan known as Block 613, Lot 27.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # LICX1203376 in the amount of \$5,760.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Cash Bond in the amount of \$640.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Surety Bond # LICX1203377 in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
- 4) Check in the amount of \$700.25 which represents the escrow amount for inspection fees.

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

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Huddy House
801 Main Street
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

ANGELA DEL VECCHIO
DEPUTY CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MINOR SUBDIVISION
KNOWN AS BLOCK 794.17, LOT 30 AND 31
(126 Lillie Road)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Minor Subdivision known as Block 794.17, Lot 30 & 31.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Cash Bond in the amount of \$300.0 which represents the performance guarantee amount.
- 2) Check in the amount of \$250.00 which represents the escrow amount for inspection fees.

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

- 1) The bonds set forth in the preamble hereto are hereby approved.
- 2) Said bond approval is conditioned upon compliance by Anthony Zappola, its successors and assignees, with all terms set forth in the preamble hereof and all requirements of the Land Use Ordinance of the Township of Toms River. Township Clerk shall send a certified copy hereof to each of the following:

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Anthony Zappola
468 Gifford Lane
Staten Island NY 10308

Approved as to Legal Form:



PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

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

ANGELA DEL VECCHIO
DEPUTY CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MAJOR SUBDIVISION
KNOWN AS BLOCK 135.01, LOT 7
(Massachusetts Avenue)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township
Council with respect to a Major Subdivision known as Block 135.01, Lot 7

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # FP0026005 in the amount of \$810,000.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Cash Bond in the amount of \$90,000.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Cash Bond in the amount of \$25,000.00 which represents the Safety & Stabilization guarantee amount.
- 4) Check in the amount of \$18,627.76 which represents the escrow amount for inspection fees.

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

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. Berkeley Development Group, LLC
130 Central Avenue
Island Heights, NJ 08732

Approved as to Legal Form:



PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

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

ANGELA DEL VECCHIO
DEPUTY CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, ACCEPTING
PERFORMANCE GUARANTEES FOR A MAJOR SUBDIVISION
KNOWN AS BLOCK 410, LOT 30.02
(Whitty Road)**

August 7, 2024

WHEREAS, the Township Engineer has reported to the Township Council with respect to a Major Subdivision Plan known as Block 410, Lot 30.02.

WHEREAS, Performance Bonds have been posted as follows:

- 1) Surety Bond # FP0026276 in the amount of \$43,920.00 which represents the ninety percent portion of the performance guarantee amount.
- 2) Cash Bond in the amount of \$4,880.00 which represents the ten percent portion of the performance guarantee amount.
- 3) Cash Bond in the amount of \$5,000.00 which represents the Safety & Stabilization guarantee amount.
- 4) Check in the amount of \$7,934.43 which represents the escrow amount for inspection fees.

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

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

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

- a. Township Engineer
- b. Chief Financial Officer
- c. Township Attorney
- d. K & K Developers
820 Morris TPKE
Short Hills NJ 07078

Approved as to Legal Form:



PETER PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

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

ANGELA DEL VECCHIO
DEPUTY CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING
TO THE SITE PLAN APPLICATION TO BE SUBMITTED TO THE
TOMS RIVER PLANNING BOARD FOR ST. JOSEPH'S CATHOLIC
CEMETERY AND MAUSOLEUMS PURSUANT TO
N.J.S.A. 45:27-25(a)**

AUGUST 7, 2024

WHEREAS, by letter dated June 13, 2024, St. Joseph's Church and Cemetery has notified the Township that they wish to proceed with an application before the Toms River Township Planning Board for expansion to its cemetery facility; and

WHEREAS, pursuant to N.J.S.A. 45:27-25(a), before such an application may be submitted to the local Planning Board, a resolution of the Township's governing body is required consenting to that submittal; and

WHEREAS, the Township Council, having reviewed this matter, wishes to consent to allow the application to proceed before the Toms River Township Planning Board without determining the merits of the application;

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 hereby consents to the submittal of a Site Plan Application for the St. Joseph's Cemetery and Mausoleum for Amended Site Plan Approval and expansion pursuant to N.J.S.A. 45:27-25(a);

BE IT FURTHER RESOLVED the Township Council is not passing upon the merits of the application which is under the jurisdiction of the Toms River Township Planning Board, but rather simply indicates its ascent to allowing the matter to proceed before the Planning Board.

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) Acting Chief Financial Officer
- e) Township Attorney

- f) Harvey York, Esq.
202 Main Street
Toms River, NJ.08754
- g) Melanie Szuba Appleby, Esq., Planning Board Attorney
- h) Lucia Lynch, Board Secretary
- i) Doug Klee, PE., Board Engineer

CERTIFICATION

I, Angela Del Vecchio, Deputy Municipal Clerk of the Township of Toms River, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly adopted by the Township Council of the Township of Toms River at its meeting held on _____, 2024.

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

L-August 7, 2024-30 - Reso St. Joseph's Cemetery

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP
OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING
CLOSEOUT OF THE 2022 ROADWAY ELEVATION – WINDSOR,
ALDO, SILVER BAY AND BAY POINT PROJECT WITH GREEN
CONSTRUCTION, INC., AUTHORIZING RELEASE OF RETAINAGE,
RELEASING PERFORMANCE BOND, ACCEPTANCE OF
MAINTENANCE BOND, AND AUTHORIZING FINAL PAYMENT TO
CONTRACTOR IN THE AMOUNT OF \$101,937.34**

AUGUST 7, 2024

WHEREAS, resolution of the Township Council dated September 28, 2022 authorized award of contract to Green Construction, Inc., as the lowest bidder meeting all the bid specifications, for the 2022 Roadway Elevation – Windsor, Aldo, Silver Bay and Bay Point Project, in the total maximum contract amount not to exceed \$4,763,639.40; and

WHEREAS, resolution of the Township Council dated December 19, 2023 authorized Change Order No. 1 to increase various quantities and the addition of numerous improvements installed by private property owners after the issuance of the plans (4 paver/stamped driveways and one (1) new home). Addition of some road overlay paving to avoid future damage by traversing work completed on this project – net increase \$333,227.60; and

WHEREAS, the contractor retained for the 2022 Roadway Elevation – Windsor, Aldo, Silver Bay and Bay Point Project, has submitted the required documents in connection with the closeout of this project; and

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

- a) Original Maintenance Bond No. PRF9409533 with Green Construction, Inc., as Principal, and Fidelity and Deposit Company of Maryland, as Surety.
- b) Contractor's Application for Payment in the amount of \$101,937.34

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

1. It hereby authorizes the appropriate Township Officials of the Township of Toms River to take whatever action is necessary to process the aforesaid

documentation to close out the 2022 Roadway Elevation – Windsor, Aldo, Silver Bay and Bay Point Project, releasing Performance Bond, accepting Maintenance Bond, releasing retainage, and authorizing final payment to Green Construction, Inc., in the amount of \$101,937.34, and funds are available in the following accounts:

Account No. X-04- -230-001	\$ 8,488.26
Account No. X-04- -224-003	\$ 28,297.42
Account No. X-04- -230-001	\$ 18,431.46
Account No. X-04- -247-001	\$ 13,993.85
Account No. X-04- -257-101	\$ 11,397.19
Account No. X-04- -203-009	\$ 11,244.18
Account No. X-04- -257-098	\$ 10,084.98
TOTAL:	\$101,937.34

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

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

- a) Acting Chief Financial Officer
- b) Engineering Division
- c) Township Attorney
- d) Purchasing Division
- e) Green Construction, Inc.
26 Elizabeth Street
PO Box 550
South River, NJ 08882-0550

L-Aug 7, 2024-01

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 7th day of August, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY TOWNSHIP CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE
MAYOR'S APPOINTMENT OF JOHN MELE, TO SERVE AS THE
TOWNSHIP ENGINEER, AND THE DIRECTOR OF THE DEPARTMENT
OF COMMUNITY DEVELOPMENT OF THE TOWNSHIP OF TOMS
RIVER, EFFECTIVE JULY 1, 2024**

AUGUST 7, 2024

WHEREAS, Mayor Daniel T. Rodrick, has nominated John Mele to serve as Township Engineer, and Director of the Department of Community Development of the Township of Toms River; and

WHEREAS, the Township Council has considered same and hereby gives its consent 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 John Mele to serve as the Township Engineer, and Director of the Department of Community Development, effective July 1, 2024.
2. Mr. Mele shall receive a salary within the range of the prevailing salary ordinance.
3. Township Clerk shall send a certified copy of this resolution 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) Personnel Dept.
- g) Payroll Dept.
- h) Human Resources
- i) Engineering Dept.
- j) John Mele

L-August 7, 2024-27 - appt. John Mele, Twp Eng. and Dir. Comm. Develop.

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, CONSENTING TO THE
MAYOR'S APPOINTMENT OF FREDERICK L. PERRINE, JR., TO
SERVICE AS DIRECTOR OF THE DEPARTMENT OF RECREATION
OF THE TOWNSHIP OF TOMS RIVER, EFFECTIVE JUNE 3, 2024**

AUGUST 7, 2024

WHEREAS, Mayor Daniel T. Rodrick has nominated Frederick L. Perrine, Jr., to serve as Director of the Department of Recreation of the Township of Toms River, effective June 3, 2024; and

WHEREAS, the Township Council has considered same and hereby gives its consent 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 Frederick L. Perrine, Jr. to serve as Director of the Department of Recreation, effective June 3, 2024.
2. Mr. Perrine shall receive a salary within the range of the prevailing salary ordinance.
3. 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) Acting Chief Financial Officer
- e) Township Attorney
- f) Personnel Dept.
- g) Payroll Dept.
- h) Human Resources
- i) Recreation Dept.
- j) Frederick L. Perrine, Jr.

L-August 7, 2024-28 - appt. Frederick Perrine, Director Recreation

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

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
TOMS RIVER, OCEAN COUNTY, NEW JERSEY, APPOINTING
STEPHEN A. HENSEL AS ACTING MUNICIPAL CLERK OF THE
TOWNSHIP OF TOMS RIVER, RETROACTIVE TO JULY 20, 2024
THROUGH JULY 20, 2025**

AUGUST 7, 2024

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

1. Stephen A. Hensel is appointed to the position of Acting Municipal Clerk of the Township of Toms River, retroactive to July 20, 2024 through July 20, 2025, at a salary of \$100,000.00 per annum. The appointment is made pursuant to Section 14-6A of the Township Code and N.J.S.A. 40A:9-133(c).

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) Deputy Municipal Clerk
- f) Stephen A. Hensel
- g) Acting Chief Financial Officer
- h) Human Resources
- i) All Department Heads

L-Aug 7, 2024-09

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted
by the Council on this 7th day of August, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE ISSUANCE OF A PERMIT PURSUANT TO N.J.S.A. 21:3-3 TO GARDEN STATE FIREWORKS INC., TO CONDUCT FIREWORKS DISPLAYS AT SHELTER COVE ON JULY 24, 2024, AUGUST 7, 2024, AUGUST 14, 2024 AND AUGUST 21, 2024, FROM 9:00 P.M. TO 9:30 P.M., AT A COST OF \$6,600.00 FOR EACH DISPLAY, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$26,400.00

AUGUST 7, 2024

WHEREAS, Garden State Fireworks Inc. has been enlisted to conduct fireworks displays at Shelter Cove on July 24, 2024, August 7, 2024, August 14, 2024 and August 21, 2024 from 9:00 p.m. to 9:30 p.m.; and

WHEREAS, Garden State Fireworks Inc. has filed a permit application with the Toms River Bureau of Fire Prevention; and

WHEREAS, in support of the application, Garden State Fireworks has filed all of the information required pursuant to N.J.S.A. 21:3-3 and N.J.S.A. 21:3-4; and

WHEREAS, both the Toms River Bureau of Fire Prevention and the Toms River Police Department have reviewed the permit application and conducted the required inspections, and based thereon, have issued their written approval of the issuance of the permit; and

WHEREAS, Garden State Fireworks has notified and received the approval of any applicable state agencies, and filed the appropriate documents with the Toms River Bureau of Fire Prevention, to conduct these displays; and

WHEREAS, the fireworks displays will take place at Shelter Cove on Wednesdays, July 24, 2024, August 7, 2024, August 14, 2024 and August 21, 2024, with rain dates of July 29, 2024, August 12, 2024, August 19, 2024 and August 26, 2024, between 9:00 p.m. and 9:30 p.m.; and

WHEREAS, the Toms River Chief of Police and the Chief of the Toms River Bureau of Fire Prevention recommend that the Township Council issue the requested permit:

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

1. Pursuant to N.J.S.A. 21:3-3, the Township Council hereby authorizes the issuance of a fireworks display permit to Garden State Fireworks Inc., to conduct fireworks displays at Shelter Cove on Wednesdays, July 24, 2024, August 7, 2024, August 14, 2024 and August 21, 2024, with rain dates of July 29, 2024, August 12, 2024, August 19, 2024 and August 26, 2024, between 9:00 p.m. and 9:30 p.m.

2. The Mayor is hereby authorized to execute and the Deputy Township Clerk to attest to any and all documents necessary to effectuate the arrangement approved by this resolution.

3. Pursuant to N.J.S.A. 21:3-6, the Deputy Township Clerk is hereby directed to submit copies of the permit application, all supporting materials, and a certified copy of this resolution to the New Jersey Department of Labor, Office of Safety Compliance, P.O. Box 386, Trenton, New Jersey, 08625-0386.

4. Funds in the amount not to exceed \$26,400.00 are available in Account No. 4-01- -G76-535.

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

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

- a. Mayor
- b. Business Administrator
- c. Acting Chief Financial Officer
- d. Township Attorney
- e. Chief of Police
- f. Chief of the Bureau of Fire Prevention
- g. Garden State Fireworks LLC
383Carlton Road
Millington, NJ 07946

L-Aug 7, 2024-16

Approved as to Legal Form:

Certified as a true copy of the Resolution adopted by the Council on this 7th day of August, 2024.

PETER S. PASCARELLA
ASSISTANT TOWNSHIP ATTORNEY

ANGELA DEL VECCHIO
DEPUTY MUNICIPAL CLERK