

**BOROUGH OF SOUTH TOMS RIVER
REORGANIZATION MEETING
JANUARY 1, 2019, NOON**

The Borough Clerk opened the Reorganization Meeting of January 1, 2019 of the Borough of South Toms River.

Mayor John Ducey provided the Oath of Office to Gregory Handshy.
Mayor Cradle provided the Oath of Office to Samuel Fennell
Mayor John Ducey provided the Oath of Office to Richard Applegate

STATE OF PUBLIC NOTICE

This meeting of the Mayor and Borough Council was called pursuant to the provisions of the Open Public Meeting Law. Notice of this meeting was sent to the Asbury Park Press and published on November 28, 2018; in addition a copy of notice is posted on the bulletin board in the Municipal Building, and filed in the office of the Borough Clerk

Borough Clerk read the Roll Call

	Applegate	Fennell	Mosley	Murray	Ross	Taylor	Handshy
Present	x	x	x	x	x	x	x
Absent							

MAYOR'S STATEMENT

Mayor welcomed all family and friends in attendance. He wished everyone the best for the new year, and thanked everyone for their support. Congratulations to newest Council, and welcome back to all. Today, we continue to address our concerns of our residents, and use everything within our ability to make our Borough the place we call home. We have difficult obstacles such as keeping our waters clean, streets safe, and stabilize taxes. Some future plans and initiatives that we plan to carry out. We look at potential partnerships with other towns and entities, such as C.O.B.A, and potentially a first of its kind, Business Improvement District, to ensure a continual focus on cleaning up our waterfront. It will also further strengthen our partnership with our neighbors in Toms River, who looks for water rejuvenation. We also look to work with the County for a new bike path, on the south side of Rt.166, and hope to have it complete by the fall. Everyone have a happy and blessed new year.

Mayor Handshy led those in attendance to the FLAG SALUTE

PUBLIC COMMENT

Borough Clerk opened Public Comment. Seeing no comments.

Close PC: First: Ross_Second: Mosley, and full Council consent.

RESOLUTIONS

Resolution 2019-002

Appointing Matthew Sage, Esq as Municipal Attorney

Councilman Ross requested a brief background of the proposed attorney. Mayor Handshy proceeded to allow Mr. Sage to answer Councilman Ross' question. Mr. Sage provided a brief synopsis of his background. You've served as prosecutor, but not Municipal Attorney?

Mr. Sage: I have not. I'm a Commissioner on County Board of Elections for two terms now. Presently, a Public Defender on three towns, and conflict Public Defender on two separate towns; and a private firm practice. Prior, I worked in areas of land use applications, and litigations that's ensued as a result of those. I'm a father with three small children, and husband. I believe to be educated and appropriate for the job.

Councilman Ross: As stated, your resume has some impressive accolads. Thank you. Also, just curious comment, not a question, as to why we are replacing an attorney with no municipal experience; nothing against Matt. Also, his proposal is higher than other attorneys.

Mayor Handshy: His proposal and hourly rate was equal to or lower than at least one other.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
	x	Applegate	x			
		Fennell	x			
		Mosley			x	
		Murray			x	
		Ross		x		
x		Taylor	x			
		Handshy	x			

CONSENT AGENDA

The below listed items are considered to be routine by the Borough of South Toms River and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately.

- Resolution 2019-003 2019 Temporary Municipal Budget
- Resolution 2019-004 Establishing a petty cash fund for the Chief Financial Officer
- Resolution 2019-006 Establishing a petty cash fund for the Police Department
- Resolution 2019-007 Memorialize Currently Established Change Funds for the Deputy Municipal Clerk, Tax Collector Clerk, and Municipal Court Administrator
- Resolution 2019-009 Tax Collector's rates of interest charged for delinquent payments
- Resolution 2019-010 Authorizing the Tax Assessor to Act as the Agent for the Taxing District
- Resolution 2019-011 Designating the Borough's Official Newspaper
- Resolution 2019-012 Approving a Cash Management Plan
- Resolution 2019-013 Authorizing signatures for the execution of Borough Checks
- Resolution 2019-040 Adopting 2019 Employees Salaries
- Resolution 2019-014 Executive Session

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
		Applegate	x			
		Fennell	x			
x		Mosley	x			
		Murray	x			

	x	Ross	x			
		Taylor	x			
		Handshy			x	

Motion to enter back into Public Session: Mosley; Second: Ross, and full Council consent.

MUNICIPAL APPOINTMENTS

Resolution 2019-001 Appointing Robert Taylor as Council President Appointment

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
x		Applegate	x			
	x	Fennell	x			
		Mosley	x			
		Murray	x			
		Ross	x			
		Taylor	x			
		Handshy			x	

CONSENT AGENDA

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- Resolution 2019-016 Appoint Grace Marmero & Associates Position of Municipal Prosecutor
- Resolution 2019-017 Appointing Bonnie Peterson to the position of Alternate Municipal Prosecutor for CY 2019
- Resolution 2019-018 Appointing Oliwa and Company as Borough Auditor for the year 2019
- Resolution 2019-019 Appointing Gluck Walrath Borough Bonding Counselor for the year 2019
- Resolution 2019-020 Designating a primary Grantsperson and Alternate Grantsperson for the Community Development Block Grant Program for CY 2019 Robert Mullen (Primary) and Joseph Kosteck (Alternate)
- Resolution 2019-021 Appointing Charles Tivenan to the position of Public Defender for CY 2019 at a rate of \$400/ Day
- Resolution 2019-022 Appointing Donna Conoshenti (@\$150/hr) and Brian DiStefano to the positions of Alternate Public Defender for CY 2019
- Resolution 2019-023 Designating individual authorized to certify as to the liability for Assessment for Municipal Improvements for CY 2019
- Resolution 2019-024 Appointing Armando Riccio Esq, Borough Labor Relations/Conflict Attorney for the Year 2019
- Resolution 2019-025 Authorizing a Special Projects Engineering Pool for CY 2019
- Resolution 2019-041 Appointing McManimon, Scotland, and Baumann as Redevelopment Counsel

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/N	ABSENT
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		Applegate	x			
		Fennell	x			
x		Mosley	x			
		Murray	x			
		Ross	x			
	x	Taylor	x			
		Handshy				x

Resolution 2019-015 Appointing Robert Mullen from Maser Consulting as Borough Engineer for 2019

Discussion:

Councilman Ross questioned Mayor Handshy on the reason for a change in Borough Engineer, and stated his opposition to the change stating a substantially higher cost. At the interest of stabilizing taxes, why are we making this change?

Mayor Handshy responded stating their comparative pricing, and I believe he's better qualified to be our Borough engineer.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
	x	Applegate	x			
		Fennell	x			
		Mosley		x		
		Murray		x		
		Ross		x		
x		Taylor	x			
		Handshy	x			

Resolution 2019-45 Rejecting 2019 Land Use Board Attorney Request For Professional Solicitations and Authorizing Resolicitation

Discussion:

Councilman Ross asked Mayor Handshy if the Borough received qualified proposals, why is the Borough rejecting and soliciting for Land Use Board Attorney?

Mayor Handshy. I'm sure all are pretty well qualified. However, I believe there could be others as well.

Councilman Murray: everyone submitted at the sametime. So what i'm getting is that we are asking to go out to bid because you didn't get who you wanted.

Cross-talk ensued prior to Roll Call vote

ROLL CALL

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
x		Applegate	x			
		Fennell	x			
		Mosley		x		
		Murray		x		
		Ross		x		
	x	Taylor	x			
		Handshy	x			

APPOINTMENTS AS CONSENT

The below listed items are considered to be routine by the Borough of South Toms River and will be enacted by one motion. There will be no formal discussion of these items. If discussion is desired, this item will be removed from the Consent Agenda and will be considered separately

- Resolution 2019-026 Appointing as James Richardson Zoning Officer for 2019
- Resolution 2019-027 Appointing James Richardson as Code Enforcement Officer for 2019
- Resolution 2019-028 Designating Joseph Kostecki and Maria Golda as Dog Licensing Clerks for CY 2019
- Resolution 2019-029 Appointing School Crossing Guards
- Resolution 2019-030 Appointing Bishop Michael Torney as Police Chaplain for CY 2019
- Resolution 2019-031 Appointing Marvin Sykes as Sewerage Authority Commissioner to an Expired Term February 2, 2019 to January 30, 2023
- Resolution 2019-032 Approving Dynamic Testing Service for commercial driver license personnel and controlled substance/alcohol testing services.
- Resolution 2019-033 Appointing Office of Emergency Management and Community Emergency Response Team Deputy Coordinators for CY 2019
Kevin McCormack,
Dan DeCross Jr.
William Gleason
Anthony Giacinti
- Resolution 2019-034 Appointing Robert Mullen of Maser Consulting as Stormwater Management Coordinator for CY 2019
- Resolution 2019-035 Appointing members to Land Use Board for CY 2019
Class 1, Greg Handshy
Class II (12/31/18)
Class III (12/31/18) Samuel Fennell
Class IV (12/31/18) Marlana Febres
Class IV (12/31/18) Michael Colavito
Alternate 2 (12/31/18) Joseph Principato
- Resolution 2019-036 Appointing Environmental Advisory Commission members for CY 2019
Don Williams (12/31/21)
- Resolution 2019-037 Appointing Governing Body Liaisons for CY 2019
- Public Works-Streets,**
____ Sam Fennell _____
____ Ed Murray _____
____ Rich Applegate _____
- Recycling Committee**
____ Sanford Ross _____
____ Oscar Cradle _____
- Buildings and Grounds Committee**
____ Sam Fennell _____
____ Sanford Ross _____
____ Richard Applegate _____

Police Committee

_____ Robert Taylor _____
_____ Sam Fennel _____
_____ Ed Murray _____

Recreation Commission

_____ Robert Taylor _____

Mosquito and Lights Committee

_____ Sam Fennel _____
_____ Sandford Ross _____

Special Events Committee

Mayor and Council

Emergency Services Committee

_____ Ed Murray _____
_____ Anthony Giacinti _____
_____ Sam Fennel _____

Negotiation Committee

_____ Ed Murray _____
_____ Sandford Ross _____
_____ Sam Fennel _____

Veterans' Affairs Committee

_____ Sam Fennel _____
_____ Rich Applegate _____

Education Committee

_____ Tanya Mosley _____
_____ Robert Taylor _____

Redevelopment Subcommittee & Resident Advisory Board

_____ Mayor & Council _____

- Resolution 2019-038 Designating Mark Vennella as Certified Principal Public Works Manager for CY 2019
- Resolution 2019-039 Appointing Joseph Kostecki as the Qualified Purchasing Agent
- Resolution 2019-040 Appointing Anthony Giacinti Jr. and Michael Schneidt as Borough of South Toms River Gang Resistance Education And Training (G.R.E.A.T) Liaisons
- Resolution 2019-42 Approving the Purchase of DMS
- Resolution 2019-43 Appointing Commissioners to the Recreation Commission
Robert Green
Bryant Clagon

Gary Kearney
Tori Clagon

Resolution 2019-44 Authorizing a Lease Agreement Between the Borough of South Toms River and the South Toms River Sewerage Authority

CONSENT ROLL CALL

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MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Handshy	x			
		Rolzhausen	x			
	x	Mosley	x			
		Murray	x			
		McCormack	x			
x		Ross	x			

PUBLIC COMMENT

Tom Rolzhausen, 420 Applegate Ave: Reiterated on questioning going out to bid, and stated he believes he's using his office for preferential treatment.

Betty Silvestri stated she could not hear in the back, and asked all mics to be on.

Close PC: Mosley 2nd: Ross, and full Council consent.

Adjourn 1st: Ross 2nd: Taylor, and Council consent.

ADJOURNMENT @ 1:40pm

Borough Clerk

Gregory Handshy, Mayor