

**BOROUGH OF SOUTH TOMS RIVER
REGULAR MEETING
FEBRUARY 11, 2019, 7:00 PM**

**MOMENT OF SILENCE & FLAG SALUTE
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.

ROLL CALL:

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

Mayor Handshy read the following proclamation

**BOROUGH OF SOUTH TOMS RIVER,
RECOGNIZING FEBRUARY AS BLACK HISTORY MONTH**

WHEREAS, in 1776, the United States of America was imagined, as stated in the Declaration of Independence, as a new nation dedicated to the proposition that “all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness”;

WHEREAS, on November 19, 1863, President Abraham Lincoln, in reference to the Declaration of Independence, stated, Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

WHEREAS, the history of the United States includes injustices and the denial of basic, fundamental rights at odds with the words of the founders of the United States and the sacrifices commemorated at Gettysburg, Pennsylvania;

WHEREAS the injustices committed in the United States include approximately 250 years of slavery, 100 years of lynchings, denial of both fundamental human and civil rights, and withholding of the basic rights of citizenship; Whereas, inequalities and injustices in our society still exist today;

WHEREAS Sojourner Truth, Frederick Douglass, Harriet Tubman, W.E.B. Dubois, Booker T. Washington, Charles Hamilton Houston, the Tuskegee Airmen, Lena Horne, Ralph Bunche, Jackie Robinson, Constance Baker Motley, James Baldwin, Dorothy Height, Thurgood Marshall, and Shirley Chisholm each lived a life of incandescent greatness while many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, but paved the way for future generations to succeed;

WHEREAS many African-American men and women worked against racism to achieve success, such as James Beckwourth, Bill Pickett, Colonel Allen Allensworth, Clara Brown, and many others who were pivotal in the exploration and westward expansion of the United States;

WHEREAS pioneers such as David Dinkins, Mae Jemison, Arthur Ashe, Oprah Winfrey, James Earl Jones, Clarence Thomas, Ursula Burns, Alice Walker, Ronald Brown, Alexis Herman, Kenneth Chenault, and Magic Johnson have all served as positive beneficiaries of our forefathers and as great role models and leaders for future generations;

WHEREAS, on November 4, 2008, and again on November 6, 2012, the people of the United States elected an African-American man, Barack Obama, as President of the United States, and African Americans continue to serve the United States at the highest levels of the government and Armed Forces;

WHEREAS, Carter G. Woodson, the Father of Black History, stated, We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, You are not worthy to enjoy the blessings of democracy or anything else.,

WHEREAS Black History Month, celebrated during the month of February, dates back to 1926 when Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of black Americans;

NOW, THEREFORE, BE IT RESOLVED that on this 11th Day of February, 2019, the Governing Body of the Borough of South Toms River hereby acknowledge the contributions made to society by endorsing Black History Month.

Mayor Gregory Handshy

Mayor Handshy joined Council President Taylor and Councilwoman Mosley in the front of the room to welcome and congratulate all of the students and parents of such, in attendance; thanking them for their efforts in school.

Motion for short recess: Ross 2nd: Mosley, and council consent.

Into Public Session: Mosley 2nd: Fennel and Council consent

ORDINANCE

ORDINANCE 19-2 AN ORDINANCE OF THE BOROUGH OF SOUTH TOMS RIVER, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 2 OF THE BOROUGH CODE, ENTITLED “ADMINISTRATION” (2nd Reading)

Public Hearing: seeing no comments,

Close Public Hearing: Mosley 2nd: Ross, and Council consent.

Roll Call for Passage

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

RESOLUTIONS

Resolution 2019-56 Authorizing the Submission of 2019 Community Development Block Grant Application

The Borough Clerk stated that in the process for the CDBG Grant application, we will proceed

with Public Hearing to entertain any additional ideas. The proposed project is for water service improvements with an engineering estimate of \$57,960.

**PUBLIC HEARING ON 2019 CDBG GRANT APPLICATION
OPEN HEARING**

William Gleason, 19 Long Drive: Is this the grant for speed bumps?

Borough Clerk: No, this is a separate grant. Chamberlain St is associated with Municipal Aid grant.

George Rutzler, 8 Easy St: What is the plan for Mathis bathroom services?

Mayor Handshy stated step one to get water at Mathis is this CDBG. This may be feasible at some point during the future.

CLOSE PUBLIC HEARING: Ros 2ND: Mosley and Council consent.

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

Resolution 2019-58 Rejecting Submittals for 2019 Request For Proposals for Land Use Board Attorney

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

Resolution 2019-59 Authorizing a Request For Professional Services for Special/Affordable Housing Counsel

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

Resolution 2019-60 Authorizing the 2018 Recycling Grant

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

Resolution 2019-62 Approving the Participation With the State of New Jersey Federal Grant Program Administered by the Division of Criminal Justice, Department of Law and Public Safety

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

Resolution 2019-64 Accepting the Resignation of Marlena Febres

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

Kelsey Howard, Grant Administrator of Maser Consulting, presented to Council on Green Acres. Stewardship funding (prioritized for natural land and conservation efforts; not park). If Green Acres are not considered Stewardship upon award, the DEP would only remove the funding for that portion. There is also Acquisition funding for Open Space and Recreation Plan approved, or Open Space Tax is eligible for 25% grant. For a development project such as the ballfields, this would be a 2% loan. If the Borough was high density, it would fall under a 25% grant. Essentially you need to determine if you want to proceed with a 2% loan or 25% grant.

Resolution 2019-65 Authorizing Trident Environmental for Phase 1 for an Amount Not To Exceed \$2,750

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

		Handshy			x	
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EXECUTIVE SESSION

Resolution 2019-63

Authorizing an Executive Session for the Purposes of Contract Negotiations and Attorney-Client Privilege

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

Into Public Session: 1st Ross 2nd: Mosley and Council consent

Resolution 2019-57

Authorizing the Execution of Police Benevolent Association Contract

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

Resolution 2019-66

Awarding a Painting Contract to M&R Handyman For Not To Exceed \$3,439.83

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

Resolution 2019-61

Accepting the Resignation of Tax Assessor Cassandra Johnson

Resolution 2019-67

Appointing Ellen Keleher as Tax Assessor to an Unexpired Term

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

OLD BUSINESS

Councilman Taylor stated things are coming together and working on busing fro STR Youth Day on May 11. The elementary school will have parking available. We anticipate two businesses; one for wheelchair accessibility.

The Borough picked up new pothole patch and all reported potholes were filled.

NEW BUSINESS

The Borough Clerk stated that the Borough is working on the contracts for Right of Way for the pending Bike Path. Additionally, the Minimum Wage law won't negatively affect us as a Borough with regard to salary and wages, however may benefit some workers. The State Department of Health is expecting to release a new licensing round. A medical dispensary, Breakwater, would like to speak to the Council and make a short presentation. We plan to have them at the next Council meeting.

Councilwoman Mosley distributed a letter from Joe Nardini concerning school funding.

Motion to Adjourn: Ross 2nd: Mosley, and full Council consent.

ADJOURNMENT @ 7:52pm

Submitted respectfully,

Borough Clerk

Gregory Handshy, Mayor