

**MINUTES OF THE  
BOROUGH OF SOUTH TOMS RIVER  
REGULAR MEETING  
MARCH 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	x
Absent							

**STUDENTS OF THE MONTH**

Mayor Handshy, Council President Taylor, and Councilwoman Mosley presented Student of the Month Certificates to all those students in attendance, and thanked them and the parents for instilling good academic habits.

**EXECUTIVE SESSION**

Resolution 2019-76 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	

Motion back into Public Session: Mosely 2nd: Ross, and Council consent.

Out of Executive Session, the Borough Attorney requested that counsel of the owner of Midtown Pizza step forward for the Public Hearing regarding the mercantile license for Midtown Pizza.

Fran Hodgson, appeared as counsel, and to speak on behalf of his client. He stated that his client maintains his innocence and requests that due process proceed through the court system. He further stated that his client hopes to get back to work.

Seeing no questions from the public, the Borough Clerk requested a motion to close the Public Hearing.

The Borough Attorney clarified that the proposed resolution is a full reinstatement of the mercantile

license.

Resolution 2019-77 Authorizing a Mercantile License for Midtown Pizza

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

The Borough Clerk read the following Consent Agenda statement:

**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 2019-72 Approving the Council Minutes of January 1, 2019 Reorganization; January 14, 2019; February 11, 2019; February 25, 2019

Resolution 2019-73 Authorizing the Presbyterian Church of Toms River to Hold Annual Easter Sunday sunrise service at 6:00AM on Sunday April 21, 2019.

Resolution 2019-74 Authorizing a Conditional Offer of Employment as a Full Time Police Officer to Daniel Primavera

Resolution 2019-75 Authorizing an Addendum to Police Benevolent Association Contract (By Title)

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
		Applegate	x			
	x	Fennell	x			
x		Mosley	x			
		Murray	x			
		Ross	x		x(R-2019-73	
		Taylor	x			
		Handshy			x	

Councilman Ross requested his vote be noted as an Abstention for Resolution 2019-73.

The Borough Clerk stated there is a walk-on resolution to address the completion of the Municipal Public Access Plan: The Borough received a letter from the NJDEP that stated we need to address our plan requirements. When the Borough went through this process, there were requirements still pending at the State level. Now that the state has solidified those requirements, the Borough needs to take action. The proposal from Maser to fulfill these requirements including editing report language, modifying maps, confirming the tidally and non-tidally influenced water bodies and swimming and bathing locations, adding the Borough's ROSI as an attachment, etc. The proposal is \$1,500.

Resolution 2019-79 Authorizing Maser Consulting to Make Municipal Public Access Plan Revisions in an Amount Not To Exceed \$1,500.00

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN/NV	ABSENT
		Applegate	x			

		Fennell	x			
x		Mosley	x			
	x	Murray	x			
		Ross	x			
		Taylor	x			
		Handshy			x	

**OLD BUSINESS**

The Borough Administrator/Clerk read the following dates and information:

Business Improvement District meeting will have the Executive Director from the TR Downtown/BId join and provide us with his experience.

**NEW BUSINESS**

The Borough Administrator/Clerk read the following dates and information:

- o Financial Disclosure Statement: The Borough Clerk is updating all of the Borough Rosters.
- o The Ocean County Joint Insurance Fund released it's 2019 Safety & Compliance Program, and the Borough will be looking into new CDL laws
- o **County Road Improvements:** Mayor, myself and Engineer had a meeting with the County. We addressed the light and timing on Dover, in addition to other road improvements along Dover
- o **Mercantile License Ordinance:** working on improving our process. We are also going to update the rescinding process.

**ADJOURNMENT @ 8:25 PM**

Respectfully Submitted,

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Joseph Kostecki, Borough Clerk

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Gregory Handshy, Mayor