

**BOROUGH OF SOUTH TOMS RIVER
LAND USE BOARD MINUTES
MONDAY, SEPTEMBER 15, 2025 7:00 P.M.**

MOMENT OF SILENCE AND ALLEGIANCE TO THE FLAG

ROLL CALL

Present: Mr. Whalen, Mr. Rutzler, Mrs. Grams, Mr. Jubert, Mr. Glogolich, Mr. Serdinsky,
Mrs. Kratochvil
Absent: Mr. Rozhausen, Mrs. Petro

Also present was Mrs. Rumpf, Rumpf Law, and Mrs. Looney, Van Cleef Engineering.

OPEN PUBLIC LAW STATEMENT MEETING

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of September 15, 2025 was included in a list of meetings notice sent to the Asbury Park Press on December 20, 2024, and advertised in said newspaper and posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

CHAIRMAN'S STATEMENT

This meeting is a judicial proceeding any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to such a meeting must be maintained at all times. Any yelling, talking over each other and/or vulgar language will not be tolerated. This meeting shall end by 10:00 PM unless a majority of the board agrees to continue.

APPROVAL OF MINUTES FROM AUGUST 18, 2025

Mr. Serdinsky made a motion to approve the minutes, seconded by Mr. Rutzler.

Aye: Mr. Whalen, Mr. Rutzler, Mrs. Grams, Mr. Glogolich, Mr. Serdinsky
Nay: None
Abstain: Mr. Jubert, Mrs. Kratochvil

OLD BUSINESS

There was no old business.

NEW BUSINESS

Advanced Behavioral Care Services
1 South Main St.
Amending Resolution 2022-04

Robert Shea, Attorney for the applicant, was originally before the board for Toms River Adult Day Care back in 2022, this application is to amend the original resolution. The original applicant was no longer able to put his business there. Advanced Behavioral Care Services came to Mr. Shea to see if their business could go in that spot. The applicant applied for a zoning permit in 2024 and was granted approval from the zoning official. Mr. Shea stated that Toms River Adult Day Care is not different from Advanced Behavioral Care Services. Advanced Behavioral Care Services treats adults over the age of 18 years and most of their clients range from 30 years to 50 years. Most of their clients can not be left alone during the day.

When they applied for zoning they stated the following on the application: This is an adult care service center, Clients are brought in by our passenger vans at start of program day and returned home on our vans at end of program day. We assist with counseling (group and individual) for mental health issues, family counseling, medical consultation, transition to employment, housing placement, linkage with financial resources and governmental medical and other assistance programs, linkage with other health professionals and services, and other such services. The hours of office operation are 9 am – 5 pm. Clients are present from 9:25 am – 3:30 pm. There are 20 employees.

About three months ago there were several incidents with clients calling 911 and having police and EMS respond, which was also unacceptable to the applicant. It was addressed and hasn't happened since. As a result of this the zoning officer reviewed the approval and sent a letter to the applicant stating that the approval they received was not appropriate and therefore not permitted under the resolution. When Mr. Shea was made aware of this, he reached out to Mrs. Rumpf and there was an informal meeting at the borough hall with Mrs. Rumpf, Mr. Shea, Mayor Cradle, Mr. Jubert and representatives from Advanced Behavioral Care Services to go over the operations and while the name has changed the operations are still the same and have complied with the resolution. Before the applicant appealed the zoning officers decision, they wanted to come to the board to make sure the board is comfortable with the operations.

There is no medical treatment at the facility as indicated on the original resolution and no physical therapy. There is no rehabilitation, no full service salon, and there is not a full kitchen. Food is brought in for the clients as per the resolution. The vans remain on site when not transporting clients. The resolution stated that there were two sessions but there is only one now and the facility is open three days a week from 6 pm – 9 pm. Most of those sessions will be held through telehealth, however there are times when it is necessary to meet with the clients in person. There is the same number of employees and vans so parking would remain the same.

Dorothy Chippendale, Program Director, was sworn in by Mrs. Rumpf and Mr. Shea submitted the September calendar of events to the board.

Ms. Chippendale stated that the clients are referred to them usually through a hospital. The hospital will call them to let them know that the client is stabilized and the family and the hospital recommend their level of care. The clients participating in the program usually have family to care for them, but this allows the family members to be able to work or get a break during the day. They then schedule the intake, check the insurance, and make arrangements with the transportation. Clients must be 18 years or older, must understand what the program is about, then they sign agreeing to the terms, and then the afternoon van would bring them home. The groups range by what kind of track they are put on which is based on their functioning level as some of the clients have mental disabilities. That is called the Pathways group and then there are Crossroads 1 & 2 which are people with a mental health disorder such as depression. The facility teaches them about their mental health, socialization, and coping skills. Families are involved and they hold family sessions which is why they have evening hours. They have an APN on staff who sometimes prescribes medication but that is sent directly to the pharmacy. They currently have 10 employees and 2 interns. The trash is removed by a private company.

The application was opened for the board members to ask questions.

Mr. Serdinsky stated that he had been in heavy traffic by their facility and a man who looked like he had come from their facility was approaching cars to ask for money. This man then got into an argument with someone in their car and the man then dropped his pants to moon the driver and then took off across Herflicker and 166 with his pants still hanging down. Ms. Chippendale said that sometimes clients can become unstable and they address those issues as they arise. She asked if Mr. Serdinsky had called the facility when this incident took place, he had not. Mr. Whalen stated that the people are now supervised when they are outside so this shouldn't happen and Ms. Chippendale stated that if a client does not report back in, they will attempt to locate them, but the facility would know very quickly if a client had not returned. She said that she can't say for sure if the person Mr. Serdinsky saw that day wasn't one of her clients, but they do get homeless people who come over asking what they are doing there or asking clients for a cigarette.

Mr. Whalen asked how many breaks a day do they get. Ms. Chippendale stated they get one 5 minute break every hour.

Mr. Whalen stated that the boards' big concern is the police and first aid going there frequently, the police reported receiving three calls in one day. Ms. Chippendale stated that was a big concern of theirs as well and they spoke to the clients. Mrs. Kratochvil stated that she had spoken with the chief and since the meeting held a few weeks ago they have not been called out for assistance there. Ms. Chippendale stated that they wanted to work with the town and when she was informed of this issue, she addressed it right away. Ms. Chippendale left her business cards for the town to be able to contact her if any incidents arise.

Mr. Whalen asked about the evening hours. If the meetings are being done by telehealth is there only a counselor in the building? Ms. Chippendale stated that in the case of a telehealth meeting there would only be a counselor in the building, however some do need to be done in person.

Mrs. Grams stated that she thought it was a stretch to say this is the same as adult day care. She compared a behavioral facility with the day care and there were a few differences. The board had originally been led to believe that this would be a place for senior citizens to come and interact with other people and to give their caregivers a break. Ms. Chippendale felt that they were the same and there are adults in the program. The board can not specify an age requirement. The clients have therapy sessions in the morning, lunch is served, and in the afternoon they do things like arts and crafts, etc. Mr. Shea stated while the names have changed the basic premise that they were approved for remains the same. The applicant applied for a zoning permit, a copy of what was submitted is in the application packet, they received zoning and it is up to the zoning officer to check if the business is allowed in that area. If the zoning had been denied they would have come before the board to appeal his decision.

Mr. Serdinsky stated that the most concerning thing to him is if they have a client who goes off their medication the applicant would have no control over that.

Mrs. Rumpf stated the original resolution allowed for 12 vans, would the number still be the same. Ms. Chippendale said they currently have 8 vans they are using. Mrs. Rumpf stated since the clients arrive in the vans it would be difficult for someone to go wandering. Ms. Chippendale agreed. Ms. Chippendale he reason that this location would work well for them is that most of their clients live locally and it would be easier for them.

Mrs. Grams and Mr. Glogolich had concerns about the clients going off their medications. The clients are already medically assessed when they come to the program and if there are signs that the person is no longer taking their medications the facility will transfer them to the hospital for evaluation. Mr. Glogolich asked if the clients have to report there every day or do they have the option to go. When they begin the program they come every day and once they are stable for a long period of time, at least 6 months, they want to get the clients integrated back into society, some hold jobs or volunteer in the community. The van drivers observe the clients and if they find there may be a chance medication is not being taken, the driver will refuse access to the van and call the center who then alerts the family or caregiver. Mrs. Grams asked if they treat addiction. They do not treat addiction directly but the symptoms that would go along with the addiction. If someone is depressed and they start dinking excessively the depression would be addressed. Mrs. Grams stated on the calendar of events addiction is listed on that. Ms. Chippendale stated that they address all kinds of addictions with the clients, this can range from drug and alcohol abuse to eating/food addiction. They provide the clients with coping skills to help them manage their addictions. Mrs. Grams asked if any of the clients were transitioning from incarceration. The clients come to them from the hospital once they are stable. They do

not come directly from jail without being assessed, however if they were previously incarcerated the program would not know.

Mr. Whalen asked if any of their clients were dangerous. Ms. Chippendale stated anyone has an ability to become violent, however if they have a history of violence they would not be allowed to join the program.

Mr. Rutzler brought up parking at the facility. He had gone by there recently and the vans were parked all over the place. Originally parking was to be on the side where patients enter. Ms. Chippendale explained that the landlord had them parking in the front and then moved them to the back but she will abide by whatever the board decides.

There was discussion on if they could rope off an area that the clients can be to take their brakes. Ms. Chippendale is open to any suggestions the board has. She had spoken to the landlord about a fence but they are unable to do that. Some suggestions were to rope off an area or put cones out designating the break area. Ms. Chippendale said they would see what they could do. Mr. Glogolich asked if they had issues with clients wondering off. Clients are supervised and may take a walk around the building but do not go to 7-11 or the downtown area. Ms. Chippendale liked the idea of the cones but will need to check with state if that is ok since it is in a parking lot.

Mr. Rutzler asked if they would still have the vans use the easterly entrances and exits along South Main Street. They will.

Mr. Jubert made a motion to open the application to the public, seconded by Mr. Rutzler.

Aye: Mr. Whalen, Mr. Rutzler, Mrs. Grams, Mr. Glogolich, Mr. Jubert, Mrs. Kratochvil

Nay: None

Abstain: Mr. Serdinsky

There was no public present.

Mr. Glogolich made a motion to close the application to the public, seconded by Mr. Rutzler.

Aye: Mr. Whalen, Mr. Rutzler, Mrs. Grams, Mr. Glogolich, Mr. Jubert, Mrs. Kratochvil

Nay: None

Abstain: Mr. Serdinsky

Mr. Glogolich made a motion to approve the application, seconded by Mr. Rutzler.

Aye: Mr. Whalen, Mr. Rutzler, Mrs. Grams, Mr. Glogolich, Mr. Jubert, Mrs. Kratochvil

Nay: None

Abstain: Mr. Serdinsky

APPROVAL OF BILLS

Van Cleef Engineering

Invoice 25008.00-1 Review Zoning Map & Ordinance	\$232.50
Total	\$232.50

Rumpf Law

Invoice #19082 – Professional Services LUB	\$605.50
Total	\$605.50

Mrs. Grams made a motion to approve the invoices, seconded by Mr. Rutzler.

Aye: Mr. Whalen, Mr. Rutzler, Mrs. Grams, Mr. Glogolich, Mr. Jubert, Mr. Serdinsky,
Mrs. Kratochvil

Nay: None

Abstain: None

CHAIRMAN’S REPORT

There was no report from the Chairman.

CORRESPONDENCES

There was no correspondence.

PUBLIC COMMENT

Mr. Glogolich made a motion to open the meeting to the public, seconded by Mr. Rutzler. All ayes.

There was no public present.

Mr. Jubert made a motion to close the meeting to the public, seconded by Mr. Rutzler. All ayes.

ADJOURNMENT

Seeing no other business to come before the board, Mr. Rutzler made a motion to adjourn, seconded by Mr. Jubert. All ayes.

Thea Kratochvil
Land Use Board Secretary